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WOMAN:
IN HONOUR AND DISHONOUR

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THE PENITENT.

Mr. PUNCH, ALWAYS READY TO ADMIT HIS EXCEPTIONAL "BLOOMERS," DOES PENANCE FOR HIS ERROR OF THIRTY-FIVE YEARS AGO, AND BEGS TO OFFER HIS RESPECTFUL CONGRATULATIONS TO LADY ASTOR, M.P.

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[*Frontispiece*

WOMAN:
IN HONOUR AND DISHONOUR

By
ROBERT J. BLACKHAM
Under Sheriff, City of London, Barrister-at-Law
Formerly Commandant City of London Police Reserve

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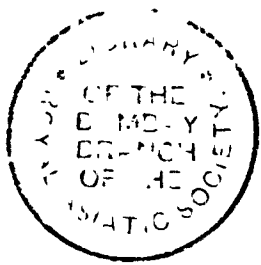

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PREFACE

There is no more surprising discovery to those who are interested in the evolution of modern womanhood than the knowledge that women have been merely regaining during the past seventy or eighty years the equality with men which they enjoyed in classical and medieval times.

In Plato's *Republic*, the gifts of nature were alike diffused in both, all the pursuits of men were the pursuits of women.

And in his *Dialogues* the same philosopher contended that "Nothing can be more absurd than the practice which prevails in our own country of men and women not following the same pursuit with all their strength and with one mind, for thus the State instead of being a whole is reduced to a half."

In Ancient Rome, women, even if they did not play a leading rôle in the actual administration of the law, were often "skilled in legal lore" and were held in the highest honour.

Right up to the seventeenth century it was firmly believed that a woman had even worn the Papal Tiara. As military adventurers, women had shown valour in battle and power of leadership of the highest order.

In short, in most walks of life women had attained a position of power and authority and distinguished themselves in the battlefield and in the paths of peace long before sex equality became a political factor.

The earlier Courts of Justice were no exception to the rule, as in the days of Henry VIII Lady Berkeley of Yale, in Gloucestershire, sat on the Bench at Sessions and Assizes, like a belted earl, with her sword by her side, and held her own courts in which her Steward administered justice to the people of her neighbourhood.

It was not, indeed, till the Reformation that the political status of women fell to the low ebb at which it stood until our own times.

In no sphere of action is the social position of each section of the community more clearly reflected than in the administration of justice and in the pursuit of crime, and it is not surprising that, during their long eclipse, women have only appeared in the courts either in the witness box or in the dock.

In the following pages I will sketch the prominent position that women have now regained, especially in this country and in America, and attempt to show that women can hold their own as law makers, magistrates, advocates, preachers, doctors, architects, journalists and writers, and that they cut a good figure not only in everyday life as witnesses and jurors but in the strenuous fields of science.

It is not suggested that in this list the modern activities of women are exhausted, as we know there are women auctioneers, builders, botanists, chartered accountants, naval architects, mechanical engineers, aviators, explorers and even steeple-jacks!

About half of this book has been devoted to the rôles of Honour, which are so ably filled by modern women. As a contrast I have supplied the reverse side of the shield and devoted the remainder of my story to a survey of less creditable activities of the feminine mind and body.

I refer to those women who practise what has been called the oldest profession in the world, showing a point of view with regard to the calling itself and to what is called the White Slave Traffic that will be novel to many. Closely related to this problem is the use of "dope," which seems to have a peculiar attraction for a great many women. Blackmailers, perverts, quacks and fortune-tellers in petticoats are then brought under review, and I sketch the romantic career of a famous Chinese woman pirate.

I show, in passing, that although the number of male criminals far outnumbers that of female offenders, women have made certain dishonourable practices peculiarly their own. Shoplifting and vitriol throwing, for instance, are rarely practised by men, and women, since the days of the Borgias, have always excelled in the abominable art of poisoning.

To complete the story, I give some account of the remarkable work which has been, and is being accomplished by women spies, and briefly refer to the half-forgotten story of the Suffragette movement and to the careers of some women who have been attracted to revolutionary movements.

I conclude with a chapter on police and punishment, showing that not only are women taking a personal share in police work itself, but that in the story of prison reform a noble woman, Mrs. Elizabeth Fry, played a leading part. In this chapter I could not refrain from recalling some of the barbarous punishments which were reserved for women in bye-gone days such as the ducking stool and the scold's bridle.

One thing must be evident from these pages, and it is that the story of Woman: in Honour and Dishonour furnishes a fascinating narrative.

So far as I am aware it has never been told before, and as books on social subjects tend to become stodgy I have endeavoured to enliven my pages with incident and anecdote in the hope that, at any rate, this charge will not be made against *Woman: in Honour and Dishonour.*

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WOMAN: IN HONOUR AND DISHONOUR

CHAPTER I

WOMEN AS LAW MAKERS

. . . sovereign Law, that State's collected will,
O'er thrones and globes elate,
Sits Empress, crowning good, repressing ill.

SIR WILLIAM JONES.

UNDER the later Roman emperors, women emerged from the dependence enforced by the early laws and attained a position of great personal and proprietary independence.

The improvement in the status of women was largely due to the legislation of the Christian emperors, notably Justinian, who prided himself on being the protector of women.

Although debarred from actually practising at the Bar, the study of the law was a favourite pursuit with some accomplished women in the time of Justinian, as is evident from the following elegant epigram penned by the historian Agathias, upon the death of his sister Eugenia:

Blooming in beauty and in song before,
Skilled in the glorious truths of legal lore,
Here hid in earth, Eugenia's seen no more.
Venus, the Muse, and Themis, at her tomb,
Cut their fair locks, in sorrow for her doom.

The Canon Law of the Christian Church deprived women of this freedom. In the pages of history there are many signs of struggles between secular and ecclesiastical principles, but the Canon Law nearly everywhere prevailed. In some parts of France married women, of a rank below

nobility, obtained all the powers of dealing with property which Roman jurisprudence had allowed, and this local law has been largely followed by the Code Napoleon; but in other countries scrupulous deference to the doctrines of the Roman jurisconsults by their law makers did not always extend to mitigating the disabilities of wives. The judicial systems which are least indulgent to married women are invariably those which have followed the Canon Law exclusively, or those which, from the lateness of their contact with European civilisation, have never had old semi-barbarous customs weeded out. The Danish and Swedish laws come under this category, and are still much less favourable to wives than the generality of Continental codes. But worst of them all in the proprietary incapacities which it imposed on wives and women generally was the English Common Law because it had borrowed so many of its fundamental principles from the jurisprudence of the Canonists.

In Norman times there was considerable doubt as to whether a woman could, or could not, succeed to the Crown of England.

Matilda, or Maud, the only daughter of Henry I, married Henry, Emperor of Germany. On the Emperor's death, she returned to England and married Geoffrey of Anjou. On the death of Henry I the Barons recognised Matilda as his successor, but her cousin Stephen, the son of Stephen Henry, Count of Blois, and Adela, daughter of William I, broke his promise to recognise Matilda as Queen Regnant and seized the crown. Civil war ensued, and Matilda was at first successful and actually took Stephen prisoner, but she was ultimately defeated. Eventually the matter was adjusted by Stephen recognising Matilda's eldest son by Geoffrey of Anjou as his heir. This able young Prince succeeded Stephen as Henry II at the age of twenty-one and won renown not only as a great general but as a wise statesman and great legislator.

It was not till Tudor times that the right of women to succeed to the throne was finally settled.

On the death of Edward VI, his elder sister was next in succession and an Act was passed conferring on a Queen Regnant the same status as a King.

Yet, notwithstanding this Statute, the privilege of representing their fellow subjects in Parliament and making laws, which during long periods of history only became effective by receiving the assent of a woman ruler, has been consistently denied to the woman citizen.

To revert to the position of women in relation to the Crown, the Interpretation Act enables a Queen Regnant to exercise the regal power in exactly the same way as a King, and both law and custom have conferred a position of high importance on even a Queen Consort. When her humbler sisters after marriage merged their estates in those of their husbands and lost all power over their own property, a Queen Consort has enjoyed the privilege of looking after her own affairs, and to enable her to safeguard her interests has been entitled to her own law officers, an Attorney and a Solicitor-General.

Her person is protected by the Statute of Treason, but she herself commits treason if she is unfaithful to the King.

A Queen Consort may be appointed Queen Regnant, and as such has all the powers of a King.

In State ceremonial the Queen Consort enjoys a position of importance only second to that of the King.

The Queen Consort of England has three crowns, bears a sceptre and is invested with a coronation ring.

It is interesting to contrast the important part given a Queen Consort in the coronation ceremonies, as compared with the rôle played by a Prince Consort. For him there is no crown, no sceptre, and no ring, and on one occasion at least he was not even provided with a throne by his wife's side.

The regal status of the Queen Consort has a curious attribute in the ancient custom that she has the right to

the tail of any whale captured in English waters, that is, within three miles of the coast line.

This is a corollary to the King's right to sturgeon captured on the English coasts, a privilege which goes back to the days of Edward II.

The Salien Franks had a code of laws which embodied the principle that females could not inherit lands or estates.

The portion of this code which debarred women from inheriting a throne became known about the fourteenth century as the Salic Law.

Maine traces the origin of this principle to the ancient notion that women remained in a state of tutelage either to their own family or that of their husbands.

There has never been a Salic Law in this country, but so recently as the time of Queen Victoria its existence in Germany debarred the Queen from succeeding to the throne of Hanover.

Even in this country, however, the law leans in favour of male sovereigns, as by the Act of Settlement the male heirs of the Sovereign are preferred to females in the same degree of relationship.

The sons of the sovereign and their issue have the right to succession before his daughters.

Thus the Princess Royal can only succeed on the death of all her four brothers and the children of the Duke of York and the Duke of Kent. If a son is born to the Duke of York, he will take precedence of his two sisters.

The Princess Royal, in the chain of succession takes precedence of the living aunt and other relatives of the Sovereign.

Passing from the Crown as the supreme head of the law makers of our country, we come to the House of Lords from which assembly women are most illogically excluded.

The Letters Patent for most peers are conferred on the original recipient of the dignity and "the heirs *male* of his body."

Women have no right of succession, and, if the male line of the family completely dies out, a peerage by patent becomes extinct, no matter how many female descendants there may be.

In some cases the Letters Patent are worded so as to allow the title to descend in the female line, a notable example being the case of Lord Roberts, who had no sons. In order to perpetuate the name and title of the great soldier, his Viscountcy descended to his daughter.

In such cases the women heirs succeed to the rank and titles of their fathers or husbands, but this does not make them Peers of Parliament as they do not now receive the necessary Writ of Summons, notwithstanding the fact that Peeresses in their own right were occasionally allowed to sit in the House of Lords in early times.

In 1922 a test case was brought in the Courts by the Baroness Rhondda demanding to receive this Writ of Summons to Parliament, but the case went against her.

One of the arguments used in the judgment against Lady Rhondda was that Peeresses enjoy two privileges denied to Peers. They can vote in Parliamentary elections and become members of the House of Commons.

Next in importance to the House of Lords is the Privy Council, whose history can be traced back to the time of Henry VI.

This body has a mighty past and still possesses some legislative powers which it exercises through the issue of Orders in Council.

It is the Privy Council, for instance, that declares war and by means of proclamations expresses the royal pleasure, which, nowadays signifies the will of the executive government of the country.

Through Privy Councillors and through them alone can the Monarch act, and hence the powers of the Crown are in a sense the powers of the Council. They have risen, they have flourished, they have declined together. They are each vague and undefined. They are each encircled with

a halo of antiquity and point to a past greatness, of which the might has departed without taking away the dignity.

The Cabinet originated as a select committee of the Privy Council, but has gradually developed into a body of men representing the political party having a majority in the House of Commons who are willing to serve under a leader known as the Prime Minister, and to adhere to a definite political programme.

The Privy Council has always been open to women, and a number of royal women have occupied seats in this august body.

Queen Mary was sworn in as a member of the Privy Council as far back as 1916, and during the serious illness in 1928 of the late King presided over its meetings.

Membership of the Privy Council is frequently conferred on distinguished persons instead of a title or appointment to an Order of Chivalry, and Privy Councillors have the right to the description "Right Honourable"; but this distinction had never been conferred on a woman of less than royal rank till 1929.

In that year Miss Margaret Bondfield, M.P., was appointed Minister of Labour and as a Cabinet Minister duly sworn in as a Privy Councillor.[1]

This firmly established the right of women, who are commoners, to serve on this ancient and honourable body.

It is not generally realised that the privilege of women voting in parliamentary elections, which was fought for so strenuously of recent years and will be referred to again in a later chapter, was not a new concession, but the restoration of a lost right.

In ancient times the freeholders of a county met together to elect the Knights of the Shire and the Sheriffs. The names of the elected Knights were written on an Indenture and attested by the seals of the electors.

[1] Miss Bondfield was the only woman to sign the Proclamation on the Accession of King Edward VIII. The author was one of the signatories of this historic document.

There is evidence that many of these indentures were sealed by women, indicating that they had equal privileges with men in returning the Knights of the Shire.

In 1264, De Montfort required the Sheriffs to return two citizens from each city and two burgesses from each borough.

This extension of representation in Parliament led to curious effects, as some of the boroughs passed into private ownership; so that the right of returning members to Parliament became private property. Naturally, some of these owners of boroughs were women, and in the time of Queen Elizabeth it is recorded that Dame Dorothy Packington chose the member for Aylesbury. We find a Dame Elizabeth Copley claiming to elect the Members of Parliament for Gatton, and her claims were disputed not on account of her sex but because she was a Roman Catholic.

Indeed, the rolls of various boroughs contain the names of women burgesses, notably the list of Lyme Regis which, in the sixteenth century, begins with the names of three women burgesses in succession.

It seems perfectly clear that right up to 1832 there was no legislation which prevented women from acting as electors in parliamentary elections, as it was the Reform Act of 1832 which for the first time employed the phrase "male person" in connection with electors.

This great statute was no "Reform" as far as women were concerned as it disenfranchised women for the greater part of the succeeding century.

Even after the passing of this Statute, the law on the point was not clarified for thirty-six years. It was not till 1868 that the point was settled in the Court of Common Pleas by a judgment which declared that women were legally incapacitated from voting in elections, as the enjoyment of the privilege by women was against public policy since it would put a premium on women remaining single or desiring the death of their husbands so as to enjoy the franchise!

Yet in 1868 a woman ruler was on the throne of England, and it might have been expected that she would throw the weight of her great influence into the scales on behalf of her own sex. Far from doing so, Queen Victoria, throughout her reign, was a determined opponent of every effort to extend to her millions of women subjects the privileges which she herself enjoyed. It remained for mere men to fight the women's battle, and interest was focused on the subject by J. Stuart Mill by the publication of *The Subjection of Women* in 1869.

In this essay Mill denounced the principle which regulated the existing social relations between the sexes—the legal subordination of one sex to another—as not only wrong in itself but one of the chief hindrances to human improvement. He insisted that it ought to be replaced by a principle of perfect equality admitting no power or privilege on the one side nor disability on the other.

Soon a powerful section of thoughtful men adopted the views of Mill, and the immediate result was the Married Women's Property Act of 1882, which removed the outrageous legal doctrine that all the property earned or inherited by a married woman vested in her husband and she had no power to use or bequeath it.

Between 1886 and 1911 numerous Bills to extend the suffrage to women were introduced into Parliament and passed their second reading no fewer than six times.

It must be confessed that the question was dealt with in a somewhat academic way until a section of the Women's Social and Political Union resorted to organised violence in order to force the Government to take action.

The breaches of the law by the so-called "militant suffragettes" led to the wholesale imprisonment of large batches of women who proceeded to nullify their sentences by hunger striking.

It is difficult to understand the attitude of mind which led women of gentle birth and breeding to commit such

outrageous and senseless acts of vandalism as characterised the programme of the militant suffragettes before 1914, but there are those who claim that it was the sufferings of women political prisoners, no less than the splendid work of women during the war, which induced the Government to give way and pass the Sex Disqualification Removal Act in 1918. No Government, after the War, could have revived the wholesale imprisonment of suffragettes, which was the official method of repressing the movement prior to 1914.

It was not, however, until May, 1928, that the so-called Flappers' Vote was granted, and women were placed on terms of complete equality with men as regard the franchise.

The Parliament Qualification of Women Act made women eligible for election to the House of Commons on exactly the same terms as men.

As so often happens in regard to purely British institutions in this country, neither of the first two women elected members of Parliament was an Englishwoman. The very first was an Irishwoman married to a Polish Count, the late Countess Markievicz. This lady, as will be shown in a subsequent chapter, was a prominent figure in the Sinn Fein movement, and, in accordance with the policy of her party which refused to recognise the British Parliament, she did not take her seat. The second was an American married to an English nobleman—the Viscountess Astor.

Lady Astor was the first woman to sit, speak and vote, and since she entered Parliament she has been joined by a small band of women law makers.

Two of these ladies have already held important offices in the Government, and there can be little doubt that in the future a wide and increasingly important rôle will be played by women as law makers.

At the 1931 election fifteen women were elected out of sixty-two candidates. Of these thirteen were Conservatives, one Independent Liberal and one Independent.

All the thirty-six Socialists were defeated. The Communists had two women candidates, both defeated.

When Parliament was dissolved in October, 1935, a woman had the distinction of being the last member to shake hands with the Speaker.

Miss Rathbone also had the woman's last word by having the last question down on the paper.

The 1935 elections showed a slight diminution in their actual numbers, but the women candidates showed immense courage in contesting forlorn hopes in the constituencies.

For instance, Mrs. Tennant, who faced Mr. Jack Jones in Silvertown, exhibited pluck of the highest order, which might be expected from a lady who during the war had worked in hospitals and casualty clearing stations in France. Mrs. Tennant has travelled extensively, and is a cousin of the Countess of Oxford.

Other plucky aspirants to be women lawmakers were Miss Bridget Jackson, the daughter of Brigadier-General G. M. Jackson, who fought the Clay Cross Division of Derbyshire. She has a hereditary connection with the House of Commons, as both her grandfathers were members of Parliament. Miss Jackson is a great sportswoman and horse-lover, breaking in her own horses and hunting with the Barlow.

Miss Ruddick had the courage to face the veteran Will Thorne at Plaistow, and Miss Marjorie Graves no less a personage than Mr. Herbert Morrison, the Leader of the L.C.C.

Mrs. Diana Spearman, who contested Poplar, is a daughter of Colonel Sir Arthur Doyle, who is the head of a family with a long tradition of military service.

Space will not permit further references, but enough has been said to show that notwithstanding the fact that the devoted band of fifteen has been reduced to nine in the 1935 Parliament, women are determined to take their rightful place in the Councils of the nation as Law Makers.

CHAPTER II

ON THE BENCH

Let no man value at a little price
A virtuous woman's counsel; her wing'd spirit
Is feather'd oftentimes with heavenly words.

CHAPMAN.

IN ancient times queens led their armies in the field and administered justice in primitive courts, but as great landowners women, like men, did not preside over the manorial courts. It was usually the legally trained senescallus, or Steward, who actually held these courts, just as the Recorder acts for the Lord Mayor in the City Courts to-day.

In Tudor times, Lady Berkeley of Yale, in Gloucestershire, and several other noble ladies were appointed to the Commission of the Peace. But under the Stuarts the practice lapsed, and the numerous Acts of Parliament passed in the last century, which conferred on women various rights in local government created by new statutes, expressly debarred them from the honorary justiceships which a number of appointments conferred on their holders.

One of the oldest and most interesting judicial offices of the kingdom is that of Sheriff.

The Sheriff was formerly the deputy of the earl or earldorman of the shire, and when the earl and the bishop gradually desisted from judicial work in the county the Sheriff took on himself their functions.

In his judicial capacity the Sheriff presided over not only the county court but courts leet which between them disposed of the bulk of the civil and criminal jurisdiction of the county. He was the King's Deputy and Judge and also the commander of the military forces of the county. It was not till lords lieutenant were appointed that his

military power waned, and it was not till after Magna Carta that he ceased to be the sole local judge.

It still fell to his lot, however, to execute the King's writs, a function which is one of the few legal duties which are still attached to the office of Sheriff.

The Sheriffs' Court continues to exist, and Sheriffs still exercise civil jurisdiction in their county courts, which are, of course, quite distinct from the County Courts instituted in 1846 primarily for the recovery of debts.

Now this important judicial office has always been open to women, and the following is a brief list of a few of the more notable women who have served:—

Nicolaa de la Haye, Sheriff of Lincolnshire
Oct. 1216 — Jan. 1217. Oct. 1217 — Dec. 1217.
Ela Countess of Salisbury, Sheriff of Wiltshire
Oct. 1236 — Jan. 1237.
Margaret, Widow of Earl of Cornwall, Sheriff of Rutlandshire 1301—1303, 1303—1309.
Anne Clifford Countess of Dorset, Pembroke and Montgomery, Sheriff of Westmoreland 1650.

The appointment of Sheriffs, or High Sheriffs, of counties was originally made by the Crown but is now carried out in a peculiar way.

The Circuit Judge prepares a list of substantial land-holders in each county, which is submitted to a tribunal which sits annually in November at the Courts of Justice in the Strand. The Chancellor of the Exchequer presides, and this is one of the few occasions on which the Chancellor wears his official robe of black silk and gold. The office of High Sheriff of a County is an expensive one and involves a great deal of outlay on the holder. This Tribunal considers the excuses of persons, who have been included in his list by the circuit judge, but object to the responsibilities of the office. Having heard the appeals, a list of three names for each county is prepared and submitted to the King who pricks with a silver bodkin the name of the individual

selected—an interesting survival of the days when our kings and queens were unable to write.

In addition to the High Sheriffs of Counties, each City and County Borough must elect a Sheriff immediately after it has elected its Mayor.

There are no records of women having been elected High Sheriffs of Counties during the last two centuries, but of recent years women Sheriffs have been appointed at Canterbury, Southampton and Belfast.

In the City of London the position of Sheriff is on a different footing to other towns and counties, as in ancient days the City took London and Middlesex to farm and secured the right of electing its own Sheriff. The Sheriff is answerable to the City for the proper performance of the duties of Sheriff in the "bailiwick" of London, but he is still the King's Sheriff and takes a special oath with regard to his duties to the Sovereign. These duties are numerous and incessant, as the Sheriffs have to attend on the Judges at the Central Criminal Court, serve and execute process, prepare panels of juries, levy execution, act as returning officers at parliamentary elections and "keep the King's peace."

The City Sheriffs are chosen by the Liverymen of the various Livery Companies who have to vote in person at Guildhall for the candidate they approve.

The election takes place in an assembly of the Liverymen, called Common Hall, on June 24th of each year, and notwithstanding the onerous and expensive duties attached to the office there is never any lack of candidates. Indeed, here is usually a keen contest for election, but although several women are Liverymen so far no woman has offered herself for the suffrages of the Livery.

Reverting to the Commission of the Peace, George Trevelyan traces the first appointment of *custodes pacis* to Archbishop Hubert Walter, the Justiciar of Richard I in 1194.

By the institution of this class of unpaid officers of the Crown, the county gentry were made part of the legal and administrative fabric of the Constitution, and increasingly employed in county business. Hardly anything in the countryside was alien to their province. They tried offences against the Laws at petty sessions, controlled what police organisation existed, and they arrested criminals.

But their administrative work was not less important than their judicial and police duties. As the means of communication between king and people, they gradually ousted the Sheriff. Demands for purveyance and ship money, benevolences and loans were addressed to them. They assessed and collected local taxes and superintended their expenditure. They settled wages and prices, and authorised the bestowal of Poor Relief. They enforced the laws against recusants and nonconformists. They appointed all sorts of local officials and licensed ale houses. They were responsible for the maintenance of roads and bridges, and kept up prisons and public buildings of every kind.

Under the Tudors they became the rulers of the county, subject to the supervision of the King's Council and the King's Bench. Through them all statutes relating to police and social economy were carried out. Professor Maitland suggests that only under the letters of the Alphabet could their duties be classified, for their functions were as multifarious as those of the modern state or the Tudor Privy Council, whose instruments they were.

Statute after statute was passed imposing new duties upon the Great Unpaid, who became veritable judicial beasts of burden whose backs were well-nigh broken by the stacks of statutes heaped upon them.

It is amazing that these overworked and unpaid officials did not ask Parliament to pass on some of their duties to their wives and daughters!

Women landowners had real grievances.

They saw their men friends charged with every important function in the county and had no control over taxes, wages and prices they were compelled to pay.

They had no say in the appointment of local officials with whom they had important dealings.

This outrageous injustice went on after the appointment of County Councils, less than half a century ago, and it was not till after the passing of the Sex Disqualification (Removal) Act that a number of women were appointed to the Commission of the Peace for London and various counties and towns in the provinces.

The appointment of all justices of the peace is in the hands of the Lord Chancellor, who usually acts on the advice of the Lord Lieutenant, who is guided by an advisory committee for each area.

The powers of Justices of the Peace have been greatly curtailed, but they are still varied and extensive.

They can issue warrants for the arrest of persons charged with criminal offences, and summonses to attend Courts of Petty Session, which will be referred to later on.

Their powers can be exercised individually or collectively.

Two Justices sitting together on the Bench can sentence to imprisonment up to six months and can fine up to £50. A Justice sitting alone has not such extensive powers; he, or she, can commit to a higher Court, but can only sentence up to fourteen days' imprisonment and fine up to twenty shillings.

County Justices sit as Judges of the County Court of Quarter Sessions, which are referred to again in Chapter XII.

As will be seen in that Chapter, Justices still retain the control of the liquor trade, as they can grant or refuse Licences under the Licensing Acts.

One of the most important duties of Woman Justices of the Peace is to sit in the Juvenile Courts, established under the Children's Act of 1908.

These courts deal with the offences of persons under sixteen years of age and aim at the reform, rather than the punishment, of young offenders against the law.

One woman Justice of the Peace is an essential member of the Bench in Juvenile Courts in the Metropolitan area.

There is now no legal impediment to prevent women barristers with suitable experience from attaining the highest rewards of the legal profession.

There is apparently nothing in theory to prevent a woman member of the Bar from ultimately rising to become a Law Lord, or even attaining the unique position of Lord High Chancellor of England.

The woman who attains this position will not only become a minister of Justice but Keeper of the King's Conscience as she will succeed not only many great lawyers but a long line of cardinals, bishops and chaplains to the King, as the Great Seal of England was not held by a layman until the time of Sir Thomas More.

But as the legal profession was opened to women in England only as recently as 1919, and the period of student-ship for the Bar is three years, the first women barristers were not called till 1922. It will take, perhaps, another ten or fifteen years to produce a panel of women having the requisite experience, talents and qualification to be available for promotion to high judicial office.

In the United States of America, where the Bar has been open to women for about fifty years, one woman, Mrs. Mabel Walker Willebrandt, has been Federal Assistant Attorney-General, and another, Miss Florence Allen, is a Judge in the Supreme Court of the State of Ohio.

Many other American women hold, or have held, judicial and administrative office of lesser importance.

It is interesting to speculate if women, when they do reach the bench, will be afflicted with the stage—or should I say bench—fright which seems to affect so many men when they are promoted to the scarlet and ermine of the High

Court or even the purple of the County Court. They seem to lose their self-reliance and have one eye on the Court of Appeal in every judgment. When they recover from this phase, they have a spell of infallibility and are quite satisfied that everything they do is right. It is only when they have been a good many years on the bench that they begin to agree with the caustic opinion of the late Lord Justice Scrutton: "All Judges make mistakes. Only the House of Lords does not make mistakes, because there is no one to tell them that they do."

Lord Hewart, the Lord Chief Justice of England, in one of his delightful after-dinner speeches, laid down the maxim that it is the business of a judge to hold his tongue until the last possible moment, and to try to be as wise as he is paid to look.

He recalled that once, when, at Winchester, he visited a hospital for pensioners, and asked one of them how he passed his time. "Sometimes we sit and think and sometimes we just sit," was the reply. "That is a perfect description of a judge's day," said Lord Hewart.

I wonder if when women reach high rank on the judicial bench they will display the same inequality in their sentences as mere men.

In her book, *The Crime of Punishment*, Margaret Wilson quotes examples of such inequality which can only be described as appalling. Her illustrations are American, but one need not travel so far afield to find apparent injustice of this kind. Even judges of the highest eminence have entirely different mental outlook on the same offences.

Commenting on Miss Wilson's book, an experienced Metropolitan magistrate quotes the differences between the late Lord Brampton and the late Mr. Justice R. S. Wright. The former, as Mr. Justice Hawkins, was known as the "hanging judge"; the latter was a pioneer in the merciful attitude on prisoners which now happily prevails.

"What a matter of luck it was to come before one or the other on Assizes. A man who received a sentence of a long

term of penal servitude—let us say for burglary—by the first, was apt to receive something like three months by the second for exactly the same offence. It is a difficult question, obviously, because rules for regulating human affairs must be elastic if they are to be just. Otherwise they become like the bed of the famous Greek robber, Procrustes, who used it to measure his victims upon. If they were too short he stretched them till they died, if they were too long he lopped them to death."

I wonder, too, if when women lawyers, clad in scarlet and ermine, look down on the scenes of their former labours they will continue the battles of wits between judge and counsel which have been a feature of some of our Courts.

A few of these little contests may be worth recalling.

In the course of a case before Mr. Justice Darling, Sir Patrick Hastings mentioned Mr. George Robey. "But who is Mr. Robey, Sir Patrick?" asked the Judge, looking down in that inimitable way he has. Quick as a flash came the reply: "The Darling of the music halls, m'lud."

Lord Darling was scored off on this occasion, but more often the honours rested with him.

On one occasion, he asked a question of an advocate, who was a notorious "know all,"—to receive the rude reply. "God knows, m'lud. I don't." "Ah, Mr. X," smiled His Lordship, "then there *is* something you don't know!"

Lord Merivale tells a tale against himself with regard to this judicial wit. A witness compared the singing of a plaintiff to that of the angels. "But," said the future Law lord, "I have never heard the angels sing." "Oh, Mr. Duke," said Darling J., "that is a pleasure still in store for you."

I feel sure of one thing, and that is that women lawyers will never be rude to the bench.

A certain learned K.C. won unenviable notoriety by his rudeness to the judges. One day after a very rude

remark the judge was forced to say, "Mr. . . . I can teach you law, but I can't teach you manners." The K.C. imperturbably replied—with the phrase so common on the lips of Counsel—"That is so, my lord."

Even the late Lord Justice Scrutton who had a reputation for learning rather than humour sometimes had sly hits at the counsel who appeared before him.

On one occasion when sitting with Lord Darling in an appeal to a Divisional Court from a conviction by magistrates for selling watered milk, he neatly capped that noted judicial wit. Counsel was referring to various straining processes in dairies when Darling J. remarked, "But there are some things that are not to be strained at all—the quality of mercy, for instance"; on which Scrutton observed: "I don't know that mercy has much to do with this matter; this is a case of too much of the gentle dew from Heaven!"

No doubt, like the rest of us, women on the bench will soon learn not to be guided by the face and figure of the accused person who come before them.

There is no greater popular error than the notion that there is a typical criminal appearance.

Shakespeare warned us against this error in *Macbeth* when he wrote:

> There's no art
> To find the mind's construction in the face:
> He was a gentleman on whom I built
> An absolute trust.

Cecil Chapman, the Metropolitan police magistrate, says he has been deceived many times by judging too much by appearances. In one case the face of a Madonna proved to be that of a young woman who answered advertisements for servants in order to steal jewels for the man with whom she was living.

I have a vivid recollection of a film artist prosecuted at the Old Bailey by Travers Humphreys when I was in his chambers. The man looked a typical clean-bred English

athlete, but he was a mad dog at heart and as cruel as Nero.

Mr. John A. R. Cairns, the Metropolitan magistrate, in his delightful book, *The Loom of the Law*, asks the question: "What are the people like who commit crimes?"

His reply to the question may fittingly close this chapter.

"They seem to be just ordinary folk—just like you and me. Every class and order, every trade and profession, every age and temperament make their contribution to the children of sorrow. Saints and sinners, preachers and pawnbrokers, tradesmen and bookies, ladies of much leisure and ladies of little virtue . . . and little children. Prosperity and poverty, culture and coarseness, Literature and Art and Science, Army and Navy and Law, Church and State—all have a place in the dock. It is the most democratic institution in the world. The vista of the dock is the final vision of our common frailty. On the same rail there rests the hand of our complex and bewildered humanity, some gloved in kid and some in grime and blood."

CHAPTER III

WOMEN AS PLEADERS

Their cause I plead—plead it in heart and mind;
A fellow-feeling makes one wondrous kind.

DAVID GARRICK.

IN these Islands the great profession of the law has always been sharply divided into two branches, the Barristers, or advocates, and the Solicitors, formerly known as attorneys. The latter represent an ancient calling which can claim a written history going back to the Statute of Merton in 1235 and the reign of King Henry III. It was not, however, until less than two hundred years ago that this branch of the legal profession was formed into an organized collegiate body. In 1739 some eighty gentlemen who were attorneys of the Courts of Common Law and solicitors in the Courts of Equity, formed themselves into an association which was called "The Society of Gentlemen Practisers."

The Gentlemen Practisers met in the various coffee houses for which London was famous, and towards the end of the eighteenth century became known as the "Law Society." The Fellowship grew in wealth and importance, and by the end of the first quarter of the last century was in a position to establish a beautiful home and library of its own. In 1831 it was incorporated to "promote professional improvement and to facilitate the acquisition of legal knowledge."

The Society gained the confidence of Parliament and people, and has been entrusted with the education, qualification and admission of all Solicitors of the Supreme Court. These statutory duties are discharged by a Council of fifty members who are elected from

members of the Society practising in all parts of the Country.

The curious fact is that although the Law Society has the power of creating solicitors, it is not necessary for its graduates to be members of the Society. There are about fifteen thousand solicitors in England and Wales, and only two-thirds of this number are members of the Law Society. Under the Solicitors Acts from 1888 to 1919 the Law Society has complete disciplinary control of all members of the profession, and enforces a very high standard of professional conduct.

The work of the solicitor is of supreme importance in the administration of justice. All contentious cases in this country must pass through a solicitor's office.

A barrister may draft a will, draw up the form of a legal document, such as an agreement, or a lease, or give an opinion on a question of law, but in all contentious matters he must be "instructed" by a solicitor.

The work of a solicitor's office is very varied, and a great part of it is conducted without the assistance of "counsel."

"Counsel," by the way, is the technical word used both in court and in solicitors' offices to describe practising barristers.

Your solicitor never speaks of employing a barrister, but always says he has engaged "counsel," or is taking "counsel's" opinion.

In Ireland the term counsellor is used, and my old friends in the Royal Irish Constabulary and Dublin Metropolitan Police referred, with considerable awe, to the graduates of the King's Inns by this description.

In a case which is going to be tried in court, having mastered the facts of his client's case, the next duty of the solicitor is to prepare the brief. In some countries a brief is a full statement of the case, from both sides, for placing before the judge, but in this country it is different. A

brief is a private and confidential document prepared for the advocate, stating as concisely as may be the facts and the evidence to be furnished in support of them.

A good brief should place the case before counsel not only from the point of view of her client, but also as far as possible from the point of view of the other side. All briefs, however, are not good briefs, and a story is told of a counsel endeavouring to present a case from a brief in which the facts were thoroughly muddled. She floundered badly, with the result that the Judge made the sarcastic request, "Miss So-and-So, please arrange your facts in some sort of order; chronological is best, but alphabetical is better than none at all."

When the brief is prepared it is sent to the barrister selected to conduct the case in court. This selection is usually left to the solicitor, and each firm has a number of specialists in various branches of law which they "brief" in suitable cases.

Of course, the client has the right to insist on any counsel she may fancy but she rarely exercises this right.

Women have been associated with the solicitors' branch of the legal profession for centuries, and lovers of Dickens will remember Sally Brass in the *Old Curiosity Shop*, who, "from her earliest youth devoted herself to the study of the law."

"She could engross, fair-copy, fill up printed forms with perfect accuracy, and in short, transact any ordinary duty of the office down to pouncing a skin of parchment or mending a pen. It is difficult to understand how, possessed of these combined attractions, she should remain Miss Brass; but whether she had steeled her heart against mankind, or whether those who might have wooed and won her, were deterred by fears that, being learned in the law, she might have too near her fingers' ends those particular statutes which regulate what are familiarly termed actions for breach, certain it is that she was still in a state of celibacy

and still in daily occupation of her old stool opposite to that of her brother Sampson. And equally certain it is, by the way, that between these two stools a great many people had come to the ground."

But, notwithstanding the fact that women were employed in the offices of the old attorneys, this branch of the profession was rigorously closed to women.

It was not till several years after a woman had applied to the Benchers of Gray's Inn to be accepted as a student that four ladies applied to the Incorporated Law Society for admission to its examinations.

I should point out that the procedure for admission as a solicitor is quite different from the purely collegiate curriculum of the barrister. They are deemed officers of the Supreme Court, and the court exercises special jurisdiction over them, committing to prison such of their number as are guilty of misconduct, and in extreme cases "striking them off the roll"—i.e. erasing their name from the official list of solicitors and so preventing them from practising. By the Solicitors Act, 1919, an application and order for striking a solicitor off the rolls, is made to and heard by a committee of certain members of the council of the Incorporated Law Society appointed by the Master of the Rolls. This committee has power to make any such order as to striking a solicitor off the rolls, or suspending him from practice, as the court or Master of the Rolls formerly had.

A candidate for admission as a solicitor of the High Court of Justice must "take out her articles," that is to say, serve for a period of five years as an articled clerk to a firm of solicitors, attend prescribed courses of lectures, and pass various qualifying examinations to be admitted and enrolled as a solicitor. The "articles" of graduates in law of a University are reduced to three years.

The application of the first four would-be women solicitors was refused, and, following the example of Miss

Bertha Cave, which will be referred to later, Miss Bebb took a test case to the Courts, in which the judges upheld the right of the Law Society to refuse women to be admitted to its examinations.

The passing of the Sex Disqualification (Removal) Act, however, upset this decision, and the Law Society was obliged to fall into line with the Inns of Court and admit women to its examinations.

Miss Carrie Morrison is the Senior woman solicitor.

Women do not seem, however, to have been attracted to solicitors' offices in the same degrees as they have been attracted to the Inns of Court, as a comparatively small number, only 166 according to the latest statistics, have entered this branch of the profession and taken out the necessary annual certificate to practise.

This relative lack of interest in the junior branch of the profession is remarkable as that branch has one great advantage; as I will indicate later, it offers a surer source of employment.

Now, notwithstanding the fact that, as we have seen, women have acted as judges and justices up till Stuart times, they have never until recently been regarded as qualified to join an Inn of Court or plead before a judge.

When Portia appeared in the Duke's Court at Venice, she had to impersonate a young doctor of laws at Rome so as to be allowed to appear. It is true that her famous defence of Antonio was not suggested by her cousin, the learned lawyer of Padua, and that it was of her own devising and highly feminine in its stage subtlety and dramatic skill. But this famous trial only showed that Shakespeare, in this, as in so many other matters, was ahead of his age as he foresaw the ability of women to plead in court.

It was not till more than three hundred years after the death of Shakespeare that the Law of England gave to Englishwomen the right to emulate Portia.

The profession of advocate has had a remarkable history in this country.

The early advocates, like the early physicians, were clerks in holy orders.

But just as the clergy were debarred from practising as surgeons by the Council of Trent, they were also forbidden to practise in the Secular Courts and prohibited from teaching the Common Law.

With the disappearance of the clergy from the King's Courts, lay lawyers appeared on the scene, who succeeded to their practice. These earlier advocates graduated from schools of law established first in the City of London and later on outside the Roman Wall in various spacious estates which had been vacated by their original owners.

The most notable of these properties was of course the monastery of the Knights Templar which, on the suppression of the Order of the Temple, had passed to the Knights Hospitaller. Now the Knights of St. John had already their great establishment in Clerkenwell, so, not requiring the Templar property, they leased it out to the lawyers.

It was in this commonplace way that the home of the turbulent Templars came into the possession of the peaceful lawyers.

Other groups of lawyers, or law schools, settled in the old Mansion of the Bishops of Chichester and in the great Manor House of the Le Grey Family, founding Lincoln's Inn and Gray's Inn.

These bodies of lawyers developed in a remarkable way.

They became the resort of the highest in the land, and we are told that for the endowment of virtue and abandoning of vice, noble men and knights sent their sons to the Inns, not to have them learned in the law so that they might live by its practice, but in order that they might be taught how to be good and useful citizens and prepared for service in the high offices of State.

They became, in the words of Ben Jonson, the noblest nurseries of humanity and liberty in the kingdom, and, indeed, it is hardly possible to exaggerate the esteem in which the Inns of Court were held in Tudor and Stuart times.

At a time when the undergraduates of the older universities were mere boys, and for the most part the sons of yeomen, tenant farmers and artisans, the members of the great legal colleges in London were young men destined for careers at Court or in the Departments of State, so that as late as the beginning of the eighteenth century we find Sir Henry Chauncey writing of them as "excellent seminaries and nurseries for the education of youth, some for the Bar, others for the seats of judicature, others for the Government, and others for affairs of state."

Later in the seventeenth century the Inns of Court became more strictly Schools of Law, and since this period the army, the navy and the older universities have shared with them the rôle of Schools of Manners.

These ancient societies have always rigorously excluded women.

A strictly monastic atmosphere has, until comparatively recent years, prevailed in not only the Temple, where it might be expected, but also in the other great societies, Gray's and Lincoln's Inn.

The four Inns of Court have complete control of the education of members of the senior branch of the legal profession in this country.

Some time in the early days of their history they acquired the remarkable privilege of "calling to the Bar," or conferring on approved persons the right to act as advocates in the King's Courts. How the Inns acquired this privilege nobody knows, but it is certain that from the earliest times it has been the Benchers of the Inns of Court, and not His Majesty's Judges, who have possessed the exclusive authority to confer the right of audience in all the Courts of the realm.

The Inns of Court have no charter, but act by prescriptive right. They are governed by a body called the Masters of the Bench, or colloquially "Benchers." Each "Bench" controls the destinies of its Inn, and all the property of each Society is vested in its Benchers.

They co-opt their successors and do not allow either barristers or students to have any say in the management of the Society.

So far no woman has been co-opted on to the Bench of any of the Four Societies.

It was to the august body presiding over the ancient and honourable society of Gray's Inn that Miss Bertha Cave applied to be admitted as a student in 1903.

The Benchers refused the application and Miss Cave appealed to the High Court of Justice against their decision.

The appeal was dismissed, and so the matter remained until 1918 when Helena Normanton, after the passing of the Representation of People Act in that year, applied for admission to the Honourable Society of the Middle Temple.

The application was refused, but Miss Normanton decided to appeal against the decision.

She tells us that she was "officially advised that a Court would have to be specially constituted comprising all H.M. Bench of Judges, who would have to sit as a Tribunal of Visiting Judges. Each Judge had to be individually served with a copy of the Petition and pleadings. Such service was effected, but whilst this Appeal was pending the applicant was asked to stay the proceedings pending the passing of an Act to throw open generally the legal profession, and upon this understanding consented so to stay them."

The continued exclusion of women from the Inns of Court aroused a great deal of sympathy, and a committee of eminent persons was formed to influence public opinion on the subject by means of meetings and printed propaganda.

The ladies found an active champion in Mr. Holford Knight, K.C., who started an independent campaign for

ESSENCE OF PARLIAMENT.

Duke of Venice (the Lord Chancellor), to Portia. "YOU ARE WELCOME: TAKE YOUR PLACE."—*Merchant of Venice, Act* IV. *Sc.* 1.

[*Reproduced by permission of the Proprietors of "Punch."*

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the admission of women to the legal profession as far back as 1913.

The passing of the Sex Disqualification (Removal) Act in 1919 put an end to the controversy, and the great profession of advocacy was thrown open to women in that year.

The procedure for obtaining the coveted degree of Barrister at Law is comparatively simple.

All applicants must enter one of the four Inns of Court, namely the Middle Temple, the Inner Temple, Lincoln's Inn, or Gray's Inn.

No one is admitted who is not a University Graduate, or, as an alternative, has passed an examination of the Matriculation standard. The social standing of the aspirant has to be guaranteed by sponsors of high standing. Fees amounting to about £150 have to be paid, and then the student is qualified to attend lectures and eat her dinners.

"The "eating of dinner" is the method adopted by the four Inns of Court for ensuring that a student is actually present in her college during each term—for the Inns of Court are no more and no less than colleges of a legal University. A law student must "keep" twelve terms, and, of course, pass certain examinations before she can be "called." The examinations are conducted by a body formed from the four Inns of Court, and called "the Council of Legal Education."

The legal authorities, like the older Universities, consider that the mere passing of examinations is but a part of an educational system, and just as Oxford, Dublin and Cambridge insist on a certain number of years of residence before a degree can be taken, the Inns of Court insist on the presence of students in their Hall for a certain period in each year. The simplest way of doing this is to require that the student shall "take Commons," that is, eat her dinner in the Hall of her Society.

At first the women students were segregated at separate tables in the Temple, but now the admirable example of

Gray's Inn has been followed and the sexes are freely mixed in the messes.

There are four terms, of about three weeks' duration in each term, so that a barrister's curriculum extends over three years. Out of the twenty-one days of term, ordinary students must dine six times, but students who are members of a University are encouraged by being allowed to keep term by dining only three times. This enables members of the recognised Universities to eat their dinners during a week-end in each term. They come "down" to London on Friday evening, dine Friday, Saturday and Sunday, and get back to their other Alma Mater on Sunday night.

The "Commons" which the students have to eat makes a stronger appeal to the male than the female appetite.

It has changed very little since Thackeray sat in Middle Temple Hall in his student's gown. Dinner consists of soup or fish, a choice of two or three joints, two vegetables, sweets, butter, cheese and coffee. It is washed down by a liberal allowance of excellent beer, which is served from curious old "Black Jacks." In addition, half a bottle of white wine or claret, or a quarter of a bottle of port or brown sherry, is provided. This wine ration is welcomed by the men, but the girls rarely touch it.

Prior to the Great War, the charge for this repast, including beer and wine, was two shillings!

Since the War, it has gone up to three shillings and sixpence, which is a lot of money to the woman student who does not want either the beer or the wine and would never think of paying so much for her evening meal.

During each term there is usually a Grand Night or a Reader's Feast, at which a specially good dinner and a double allowance of wine is provided but this again is no attraction to the woman student. The result is that she usually sighs a sigh of relief when her dinners are eaten.

The necessary examinations passed and terms kept, the student becomes entitled to Call to the Bar.

Another £50 has to be paid, which goes in Stamp Duty, and then her name, her parentage and other intimate particulars are entered on a special form which is screened, or published, in all four Inns of Court for three weeks.

If no objection is entered, the student is duly called to the Bar.

In the Middle Temple and Gray's Inn the ceremony takes place in Hall, and in Gray's Inn the ceremony is especially impressive.

Each new barrister is presented to the Treasurer, as the President or Master of the Inn for the time being is styled, who shakes her by the hand, saying: "I hereby call you to the Bar and publish you a barrister."

Ivy Williams was the first woman to pass through the whole of this ordeal and to attain the Degree of Barrister at Law.

Call to the Bar qualifies either a man or a woman to act as an advocate in all courts of law. They have an exclusive right of audience as advocates in the House of Lords, the Judicial Committee of the Privy Council, the Supreme Court of Judicature, and the Central Criminal Court and at Assizes. At quarter sessions exclusive audience is given to barristers whenever a sufficient number regularly attend the court. But at chambers in the High Court of Justice, in all county courts, in coroners' courts and ecclesiastical courts, and at petty sessions solicitors as well as barristers may act as advocates.

But, alas! "call" gives no certainty of employment, and it may take many years before the barrister is earning a living wage, or, indeed, any wages at all!

There are no partnerships at the Bar, and each practising barrister works "on her own." She may have associated with her pupils or friends who "devil" for her and gain experience and "kudos," but little in the way of filthy lucre.

It is different in the solicitors' branch as partnerships are the rule, and a smart young graduate of the Law Society can usually obtain a salaried post as soon as she is qualified to practise.

So far no woman has attained the dignity of "Silk," the popular term for "King's Counsel."

The correct description of these dignitaries is "One of His Majesty's Counsel learned in the Law," and theoretically they are appointed to attend to His Majesty's interests in the various Courts of Law.

As a matter of fact, they do nothing of the sort. They are advocates who have attained such a degree of seniority, or such a large practice, at the Bar that they are able to abandon the routine of the ordinary barrister's life, with its moderate fees and—*more or less*—regular employment! They specialise in some branch of law and most of their work is confined to advocacy in Court.

The procedure for attaining this exalted rank is an application to the Lord Chancellor, which, if the applicant is of sufficient standing, is usually followed by His Majesty's Patent.

The step of "taking Silk" is a serious one from the point of view not only of the advocate, but from that of his solicitor friends. As a stuff gownsman Counsel has probably been content with comparatively small fees, but with his new dignities his price in the labour market has greatly advanced. He cannot defend a prisoner without a licence from the Home Secretary, and, moreover, he cannot appear in Court without a junior barrister. The fee on the brief of a K.C. must be a substantial one and he must be given a "refresher" for every day after the first occupied by the case. Even then the lay client is not entitled to the attendance of the learned Senior in Court for the whole of the trial. This sounds unfair, but works out all right in practice, as, however busy he may be, the King's Counsel is just as anxious to win the case as his client. He is usually there

to conduct the arguments, examine his principal witnesses and cross-examine those of the opposite side.

The custom by which Junior Counsel receive two-thirds of the "Silk's" brief fees, however large, has been much criticised.

The procedure can only produce unreasonable results when an almost briefless barrister is led by a Norman Birkett—which in practice never happens. Generally speaking, the Junior does all the preliminary work of the case. She "looks up the law," supplies her leader with authorities and coaches him in Court. Moreover, she must be prepared to fight the case alone in case of accidents.

Generally speaking, a great proportion of the Junior's work is really underpaid considering the time, skill and labour required.

There can be little doubt that when the time arrives for women barristers to take the legal plunge of "taking Silk," with characteristic fortitude they will not hesitate to do so.

I cannot close this chapter more fittingly than by quoting some remarks made shortly before his death by Sir Ernest Wild, Recorder of London, as to the valuable assistance which women are now giving in the administration of justice in the Courts of Law of this country.

Sir Ernest paid a glowing tribute on behalf of the legal profession to the very expert assistance women were rendering both as advocates and as members of juries. He declared that he had found them a very great help, one of the reasons being that they had a much keener sense of duty than men, and were much harder. If a conviction ought to follow, they would convict, regardless of sentiment.

Such testimony from a judge who was at one time bitterly opposed to the emancipation of women was praise indeed.

CHAPTER IV

CASSOCK AND PULPIT

> His disciples . . . marvelled that He was speaking with a woman; yet no man said, What seekest Thou? or, Why speakest Thou with her?—JOHN iv. 27.

IT is claimed by all the Christian Churches that Christianity has had a great influence in raising the position of women. None, says Dr. Maude Royden, can doubt the truth of this claim. Under the influence of the five or six great religions of the world the position of women varies, and varies not only as religion but as races and civilizations vary. It is difficult to estimate how far each factor controls the result, and I have pointed out in my *Incomparable India* that women under Islam are better off than the uninformed in the West suppose. Nevertheless there is no doubt in the minds of all who have carefully considered the subject that it is in Christian countries that the subjection of women has been most frequently and most successfully challenged.

Yet the ablest women of our day are not—with some notable exceptions—giving their lives in the direct service of the Church, and, however valuable their service is to the nation, the loss of it to the Church does little credit to the clerical authorities.

It has been well said, "No woman with her heart on fire to serve her generation according to the will of God should find her sphere more readily outside the Church than inside."

While in nearly all secular spheres of work the services of women are asked and given on terms nearer and nearer to equality with men, in the Church women are still not wanted. Everywhere there is an extreme anxiety to "get men," coupled with expressions of sympathy for those

"unfortunate" clergy who are obliged to rely on the services of women. Everywhere it is assumed that responsible positions and important work in connection with the worship of God belong by nature to men—even the least capable of them—and not to women, even the most efficient.

To-day about the only two citadels which stand out against the invasion of women are the office of priest in the Roman Catholic and Anglican and that of minister in the Methodist Churches. In the Anglican Church the prospects of the invaders would appear to be not entirely hopeless in view of recent decisions with regard to their admissibility into the ordained diaconate.

At present the exclusion of women from all ranks of the priesthood is paralleled by their exclusion from nearly all other offices in these Churches. Choristers, churchwardens, acolytes, servers, and "even the takers-up of the collection, must be men." In one church, Dr. Maude Royden tells us, it was the custom for collectors to take the collection up to the sanctuary rails, till the war compelled women to take the place of men, when they were directed to wait at the chancel steps. In another it was proposed to elect a woman churchwarden, when the Vicar vehemently protested on the ground that this would be a "slur on the parish." In another, the impossibility of getting any male youth to ring the sanctus-bell induced a lady to offer her services. After anxious thought the priest accepted her offer "because the rope hung down behind a curtain, so no one would see her." The propriety of women conducting the simplest of services or delivering an address from any part of the church excites in the mind of a section of the Church, not so much disapproval as hysterics. While everywhere women are gathering others together in halls, in drawing-rooms, in cottages, to join in intercession for their country, their Church, their friends, it is still in almost every diocese impossible for them to meet in the house of God. While every platform in the

country is open to them, and every cause welcomes their services as speakers, from the pulpits of our churches only men must be heard.

When the fight for Women's Suffrage was obviously nearing a triumphant conclusion, some who saw that the end was near put forward a scheme to side-track the movement. It was proposed to create a "House of Ladies," to be elected (also presumably by "ladies") on the lines of a Parliamentary election, and to sit simultaneously with the meetings of Parliament. There was a dim suggestion of a parallel between this House of Ladies and the House of Lords which gave it a certain glamour in the eyes of those by whom women are always described as "the ladies!" It was to be a "consultative body" and its work was to be the consideration of "measures affecting women." Having considered them and presumably come to some conclusions about them, the work of the "ladies" would be done. It was not suggested that it would, or could, be more than the expression of pious opinions which Parliament could ignore at its leisure.

Since then the Woman's Movement—a much greater thing than the Women's Suffrage Movement, to which I have referred in another chapter—has made considerable progress. Even the reaction experienced since the War, to which I have also referred, though serious, has gone nowhere near undoing what has been achieved, though the magnitude of that achievement only those who were adult women before the war can realise.

To-day women have a freedom in social and even economic life which was undreamed of before the War, and, as pointed out in these pages, nearly all professions and many industries are at least nominally open to both sexes. Yet in the Church of England there has been a curious and interesting reversion to the sort of policy which, in the case of the Suffrage agitation, produced the chimera of a House of Ladies.

It is suggested that there should be a ministry of women, but a ministry of a different character from that to which men are ordained.

Dr. Maude Royden rightly scouts this notion.

Women, she says, bring something of their own both to the medical and to the legal professions. Women doctors and lawyers are, however, unanimously of opinion that this must not be interpreted to mean that they are to have a separate training, separate examinations, separate spheres of work and so on. In our present rather primitive state of civilisation such a differentiation, apart from its other defects, would inevitably be interpreted to mean that the woman's sphere and capabilities were inferior to those of men. The effect would be to decrease their value.

Dr. Royden shatters the prejudice against the ordination of married women to the office either of a minister or a deacon. It is true that, if she becomes a mother, a woman's other work must necessarily be interrupted, though probably for a much shorter time than is generally supposed. It is also true that parenthood is not only a physical fact but a spiritual experience and that, other things being equal, a woman who is a mother has had her spiritual life deepened and enriched by that experience. Men, after all, sometimes require release from their duties! After all that has been said (and much of it most beautifully said) about the sacred character of motherhood, will, Dr. Royden asks, the Christian Churches now affirm that it unfits a woman for their ministry or that they are not prepared to make such necessary adjustments as would be needed to avail themselves of the service of a woman who has experienced it? How long, I wonder, will the Churches of the World stand out against such reasoning?

Yet only the other day after nearly four years' consideration, the Archbishops' Commission on the Ministry of Women rejected the claims of women to admission to the priesthood of the Church of England.

Only one member, Dr. W. R. Matthews, Dean of St. Paul's, dissented. The two views for and against the priesthood of women as stated in the Report of the Commission are:—

For:

"There are no grounds of principle from which it may be concluded that women are incapable, because of their sex, of receiving the grace of priesthood, or of exercising the priestly functions." (Dean of St. Paul's.)

Against:

After full consideration, we do not feel able, in view of the past history and present condition of the Christian Church, to recommend the admission of women to the priesthood." (All other members of the Commission.)

The majority of the members of the Commission affirm that few women engaged in Church work desire the priesthood.

The Dean of St. Paul's, in expressing dissent, says there is: "A most important theological principle which ought to lead us to the conclusion that the opening of the full ministry of the Church to women is required by the Christian doctrine of human nature. . . . The circumstances that some personalities are associated with masculine organisms and others with feminine is simply irrelevant, and there is no more justification for discriminating against women than there would be for discriminating against Jews or men with red hair."

Some of the great Free Churches have admitted women to their ministry. To give a few examples: the Ministry of the Congregational Churches is open equally to men and women. Some of its Theological Colleges are also open to women to take training for ordination.

The Congregational Union of Great Britain and Ireland places those women who have taken a full training and been called to a Church on their list of recognised Ministers.

There are already seventeen ordained women ministers and several students in training.

The principle that women are eligible for admission to

the ministry is accepted in the Baptist Church, but no women have been admitted to the Colleges for some time.

Similarly, the principle that women are equally eligible with men for ordination was accepted by an almost unanimous vote when the United Free Church of Scotland was reorganised in 1929. Seven women ministers are in charge of Unitarian Churches.

There is a well organised interdenominational Society for the Ministry of Women which is making steady headway. Its President is Dr. Maude Royden who is, I think, the only woman, in this country at any rate, who holds the degree of Doctor of Divinity.

Dr. Royden has been for many years the soul of the movement for equal service for men and women in all Christian Churches.

Miss Royden is the daughter of the late Sir Thomas Bland Royden, and was educated at Oxford. After rendering outstanding services on the Executive of the National Union of Womens Suffrage Society, Dr. Royden became Assistant Preacher at the City Temple in 1917, and in 1921 Minister of the Guildhouse.

The late King recognised the splendid public services of this noble woman by making her a Companion of Honour in 1930. Dr. Royden is one of the very few Ministers of Religion to hold this rare and coveted distinction.

Women have played a very important part in the development of that great Free Church, the Salvation Army.

As far back as 1885, W. T. Stead in a descriptive article wrote: "The Salvation Army's first greatest function was the proclamation as a realised ideal of the great Christian doctrine of the equality of the sexes. . . . It is worthy of note that although the right of women to minister in holy things was always recognised by William and Catherine Booth, it was not until women had been appointed on entire equality with men to take charge of stations that the Salvation Army began its phenomenal development."

Mrs. Booth has declared "I believe the Church will never assume her rightful place as a conqueror in the world until she has admitted woman to positions of equal opportunity and authority with men. . . . The swaddling bands of blind custom, prejudice and ignorance have debased and wronged women, especially in connection with the churches. I believe that one of the greatest boons to the race would be woman's exaltation to her proper position mentally and spiritually. Who can tell its consequences to posterity?" Mrs. Bramwell Booth adds to this "To me the Church where woman is forbidden to speak seems as a bird with one wing or as a soldier compelled to fight with one arm." Now the Salvation Army has crowned its recognition of women leaders by appointing Evangeline Booth, General of the Army.

America has an association of Women Preachers and at the 17th Annual Assembly in 1935 nine denominations were represented, seven of these by ordained women.

Writing to *The Coming Ministry* the Rev. Elizabeth Wilson, the Secretary of this Association, sums up the American position as follows: Out of 3,000 or more women supposed to be "in the ministry," probably less than 500 are independent pastors; others are assistants to their husbands or other clergymen, some are evangelists, many are holding positions for which ordination is not absolutely essential, etc., etc. This is seen in the analysis of the active membership present at the 1935 meeting; of the twenty-two voting members present, only four have independent pastorates now, five have held such positions, three more are now assistants in churches. All the ordained women have had more or less theological training often in connection with preparation for Deaconess or Missionary work, in which they were first engaged, but only one of these fifteen ordained women, so far as I know, holds a Bachelor of Divinity degree. There is little inducement to a young college graduate to accompany her brother to a recognised theo-

logical seminary, when a call to a pulpit at the conclusion of the full course is as uncertain as now.

One would have expected that the Roman Catholic Church with its strictly enforced clerical discipline would have been completely free from invasion by women, but as a matter of fact it is interesting to recall that right up to the beginning of the seventeenth century it was firmly believed throughout the Christian world that the person who filled the papal chair as John VIII was a woman.

The story was that the daughter of an English missionary born in Mainz became the mistress of a monk, and, putting on male attire, fled with him to Athens, where her lover died.

The "widow" came to Rome, where on account of her remarkable learning and great popularity she soon became notary to the curia, was appointed cardinal and finally elected pope.

Her sex was only discovered by the birth of a child under peculiarly public and remarkable conditions.

This startling story was so unquestioned that about the beginning of the fifteenth century the bust of Pope Joan was placed in a cathedral near Florence and actually remained there undisturbed until the beginning of the seventeenth century when the female Pope was metamorphosed into Pope Zacharias at the request of Clement VIII.

Scholastic theologians accepted the story of Joan without question, and as might be expected it was frequently referred to by early Protestant writers.

The story reached the Greeks somewhere towards the end of the fifteenth century, and it is to them we owe the revolting detail that the child was born while Joan was celebrating High Mass.

A Greek scholar writing so recently as 1886 found it impossible to believe that so well authenticated a story could be without historical basis, and a writer in Chambers' Encyclopaedia says "indeed the chain of authoritative evidence is exceedingly awkward for those disposed to attach high credit to tradition in matters of belief."

Whilst excluding women from its Ministry the Church of Rome has always accorded a high degree of veneration to the Mother of God, and under its banner Sisterhoods of various kinds have played almost as important a part as Male Fraternities in winning recruits for Mother Church.

In ancient times monks kept alight the torch of learning, founded hospitals and ministered to the poor and needy. But in the modern world, nuns play perhaps a more important rôle than monks as in ever-increasing numbers they devote themselves to the education of the young and to the service of suffering.

The Calendar of the Church bristles with the names of women who have been placed side by side with the holy men and martyrs who have become saints in heaven.

I have only space to refer to one of these hallowed women —Saint Joan of Arc.

Joan was one of the most remarkable figures who have passed across the pages of history.

She was born in January, 1412, and, like most women of her time, was quite illiterate. She was tall and handsome in form and possessed of remarkable strength of character.

She believed that she was directly inspired by the Most High to be the deliverer of France. She put on male dress and a suit of white armour, rode on a great war horse and bore a banner of her own device embroidered with lilies and a pennon on which was represented the Annunciation. Her sword she regarded as a direct gift of Heaven as, inspired by a dream, she found it buried behind the altar in a church.

Joan convinced the Dauphin of France of her sincerity and placed herself at the head of an army to march to the relief of Orleans. By sheer force of her remarkable personality she compelled the Military Commanders to remodel the French forces, and such spirit and enterprise was infused into the defenders of Orleans that the English were forced to raise the siege and retreat.

The courage of this remarkable woman was such that

even two wounds did not interfere with her active leadership. She continued to command the French army, and fought with conspicuous courage in a number of battles.

She was finally captured in a sortie and taken to Arras, whence she was brought to Rouen, the English headquarters. She was tried before a sort of international court and found guilty of sacrilege, profanation, disobedience to the Church, pride and idolatry. She defied her accusers, and declared that she was but the instrument of Heaven and had only acted under Divine guidance, but under the "Third Degree" methods so familiar in medieval times, Joan recanted; but her courage soon returned. She withdrew her recantation saying she would prefer to die.

She was burnt at the stake on the 30th May, 1431, when she was only nineteen years of age.

Joan faced her doom with triumphant courage, declaring that she had only denied the divine origin of her mission through momentary dread of the fire. Her mission had been accomplished in the short life-time of this warrior girl, and the enthusiasm which she inspired led to the re-conquest of France from the English.

But all the women who have at various times influenced religious thought are completely overshadowed by Mrs. Mary Baker Eddy, the founder of Christian Science.

This lady was born of Congregational parents of Puritan stock in the year 1821. She received a very liberal education, including natural philosophy, logic, moral science, Greek and Hebrew. In middle age, after a delicate girlhood, she devoted herself to writing and experimenting on various methods for the treatment of diseases.

Mrs. Eddy was a very profound student of the Bible, and as the result of her recovery from what appears to have been functional paralysis due to a fall on the ice, she believed that she had discovered the divine principle underlying the teaching of Christ. She devised a system of metaphysical healing based on the Scriptures and gave it to the

world in a text-book entitled *Science and Health with Key to the Scriptures*. This remarkable volume was published in 1875, and although its price in the cheapest binding was three dollars, over a million copies have been sold. The doctrine taught is that those who understand the Scriptures are able to repeat—in a measure at least—the healing practised by Christ and His apostles.

Christian Science regards the first chapter and first five verses of the second chapter of Genesis as representing a true account of the Creation; but repudiates the teaching beginning at the sixth verse of the second chapter as untrue. Christian Science distinguishes between Jesus of Nazareth, the son of Mary, and Christ the spiritual son of God, and recognises the latter only as the Saviour of the world from sin, sickness and death and the "Way Shower" to eternal life.

In her book Mrs. Eddy declares that: "In the year 1866 I discovered the Christ science, or divine laws of Life, and named it Christian Science. God had been graciously fitting me, during many years, for the reception of a final revelation of the absolute divine Principle of scientific being and healing." The text-book also gives the following statement of "being": "There is no life, truth, intelligence, or substance in matter. All is infinite Mind and its infinite manifestation, for God is all in all. Spirit is immortal Truth; matter is mortal error. Spirit is the real and eternal; matter is the unreal and temporal. Spirit is God, and man is His image and likeness; hence man is spiritual and not material."

Christian Scientists believe that the body of man is the exact manifestation of his mentality, and therefore, when the human mind is imbued with sufficient realisation of the omnipotence and omnipresence of God, this not only prevents but cures bodily disease; that when the mind is improved spiritually through the understanding and application of Christian Science, the body responds accordingly; that an improved mental condition inevitably means a

corresponding bodily improvement; that, though centuries may pass meanwhile, the prophecies of Isaiah and St. John will eventually be fulfilled, and there will be no more pain, sorrow and death, since mankind will be too spiritually-minded to be sick, suffer, and die."

The first Church of Christ, Scientist, was opened in Boston in 1879. From this beginning the cult has circled the globe with a chain of churches, and there are to-day something like 2,500 branch churches and systems. A great deal of Christian Science propaganda is circulated by means of lectures. Not much more than one hundred were given at the beginning of the present century, and now the number of lectures annually is upwards of four thousand.

Christian Science is far from being confined to the English speaking races, and its branches are to be found in every country of the civilised world. At the head of the whole of this vast organisation is the Mother Church at Boston, of which Mrs. Eddy was for many years the pastor, and all Christian Science Churches wherever they are, are all merely branches of this Mother Church. This world-wide organisation is administered by what may be referred to as the Big Five—a board of directors which controls the affairs of the cult under a code of bye-laws framed by Mrs. Eddy.

It is impossible to give even a rough estimate of the number of Christian Scientists in the world to-day, but we do know that there are something like eight thousand "practitioners" who give up the whole of their time to Christian Science healing. As is the case with all similar systems, remarkable cures are claimed for diseases and deformities, regarded by the medical faculty as incurable.

Mark Twain, the inimitable American humorist whose centenary is being celebrated as I write, was very serious when he wrote about this cult.

After a reference to Christian Science in the treatment of disease, he adds: "But there is a mightier benefaction than

the healing of the body, and that is the healing of the spirit —which is Christian Science's other claim. So far as I know, so far as I can find out, it makes good. Personally I have not known a Scientist who did not seem serene, contented, unharassed. I have not found an outsider whose observation of Scientists furnished him with a view that differed from my own."

A further statement on the attitude of Mark Twain towards Christian Science shortly before he died appears in his Biography by Paine: "Of course you have been benefited," he wrote to a correspondent. "Christian Science is humanity's boon. Mrs. Eddy has organised and made available a healing principle that for two thousand years has never been employed, except as the merest kind of guesswork. She is the benefactor of the age."

The publications of this remarkable movement consist of monthly and quarterly journals in English, French, German, Danish, Norwegian and Swedish. In 1908 Mrs. Eddy attempted a long cherished plan—the foundation of the *Christian Science Monitor*, a daily newspaper, unsectarian and free from political bias. This journal claims to represent all that is helpful, interesting and pure in the news of the world, and has a larger international circulation than any other daily newspaper.

Mrs. Eddy was three times married, and died at the age of eighty-nine in 1910, leaving behind her a most remarkable memorial in the form of this great international cult of faith healing, and no less than two million dollars in trust for its extension and further development.

The Church of Christ, Scientist, founded and managed by a woman and now one of the richest and most widespread of Christian Cults is surely a complete demonstration of the futility of the arguments of the men who deny to women the right to wear the cassock and preach God's word from the pulpit.

CHAPTER V

WOMEN WARRIORS

Men, some to business, some to pleasure take;
But every woman is at heart a rake:
Men, some to quiet, some to public strife;
But every lady would be queen for life.

POPE.

DOWN the centuries there have been women who vied with men in their love for adventure and who have donned men's guise, and, sword in hand, have excelled their male comrades in deeds of bravery.

In classical Greece the women of the Thracian provinces were so warlike that they inspired the legends of the Amazonian tribes who lived by the river Thermoden, in Cappadocia, a district in Asia Minor originally under Persian rule but later on a Roman Province under Tiberius.

These warrior women had no males in their territory but formed temporary unions with the men of neighbouring tribes for the sake of begetting children.

Only female children were kept by their fierce mothers, male infants were either destroyed or banished.

Homer sings of these bold women telling us that they invaded Lycia but were defeated by Bellerophon.

Hippolyte, their queen, the daughter of Ares and Otrera, was such a valiant warrior and such a formidable opponent that one of the labours of Hercules was to seize her girdle.

Who does not recall the alliance of the Amazons with Priam in the Trojan war, and the grief of Achilles when he discovered that he had slain their queen Penthesilea?

Another story tells us that the Amazons invaded Attica where they were defeated by Theseus who married their queen Antiope and had a son Hippolytus.

But if the Amazons of classical times were legendary there has been no lack of real Amazons vouched for by authentic history. Even in Eastern lands I record in my *Incomparable India* that Chandragupta who founded the first great Indian State three centuries before Christ relied for his personal safety on an Amazonian bodyguard of gigantic Greek women.

Volumes have been written about heroic and adventurous women notably *Women in Men's guise*, by O. P. Gilbert, to which I would like to express my indebtedness. In this Chapter I can only go as far back as the end of the sixteenth century when a tall, headstrong, handsome girl named Catalina made up her mind to escape from her Convent at San Sebastian and see the world. Seizing her opportunity, she left the nuns and made good her escape. She converted her white petticoat into trousers and her long robe into a cloak and passed for a boy.

She was taken as page into the house of a Spanish gentleman but in dread of falling again into the hands of the Church she found her way to the port of San Lucar, where she joined up as a seaman on a ship sailing for Peru. The ship was wrecked and she escaped on a raft with the captain, taking a supply of money with her. The captain was drowned but she managed to reach the shore and found her way to a place where she obtained fresh male clothes and a situation as a clerk, but she did not keep this for long as she incurred the jealousy of a young man who owed money to her employer.

He picked a violent quarrel with Catalina, who had to fight a duel with him. Without intending to kill him, her sword passed through his body, with the result that she soon found herself in the hands of the police. By a mixture of cunning and good fortune, Catalina managed to escape from the prison in which she was confined, and making her way through the narrow streets to the harbour, she got into a small boat, pushed off and hoisted a sail.

Putting out to sea she was picked up by a vessel on its way to Chili, which was filled with recruits for the war then raging with the Indians. She joined up in a cavalry regiment and distinguished herself on many occasions as a cavalry officer.

Eventually she got mixed up in another duel, which was fought in the dark under the walls of a monastery. Catalina was a second, and, the principals having killed each other, in accordance with the hateful custom of the time Catalina had to fight with the other second. Having no quarrel with him, she tried only to defend herself, but in the dark her foot slipped and the point of her sword pierced the man's side. To her horror she found that the man she had killed was her own brother.

Overwhelmed with grief Catalina had to fly for her life once more. She wandered over half of South America, and had many hairbreadth escapes from violent death. For instance, she was within an ace of being hanged on one occasion. She was actually on the scaffold, and the rope was round her neck, when an order arrived from the Governor of the State to postpone the execution!

Her last adventure was a wild ride to the town of Cuzco, carrying on her saddle a lady whose madly jealous husband was seeking to murder her. Catalina was captured and severely wounded by this man and only escaped his vengeance by proving to him that in spite of her daring exploits she was only a woman, so he had no real grounds for his jealousy.

Twenty years after her escape from the convent she was sent back to Spain. On her return she was received with great ceremony by the Court and awarded many honours and a pension, but what she valued most of all was her permission from the Pope to wear on all occasions the uniform of a cavalry officer, together with sword and spurs.

She remained in her native land, until the age of forty-three when she tired of leading a quiet life, and went

back to the army and embarked once more for the Spanish Main. Arriving at the port of Vera Cruz, the officers arranged to go on shore and have a great dinner at the best Inn and Catalina, who was a great favourite on board, landed with them. When the dinner was ready, it was found that she had disappeared, and she was never heard of again.

The seventeenth century was marked by the appearance on the stage of history of a number of women who wore male attire and served with more or less distinction in the armies of the period.

One of these warrior women was Ann of Orleans, Duchesse de Montpensier, "La Grande Mademoiselle," who was the grand-daughter of Henri IV.

She tried to marry Louis XIV, but was out-manœuvred by Cardinal Mazarin. In revenge she served against the Grand Monarch in the army of Conde in the wars of the Fronde.

These women vied with men in defending their honour with their swords, so that duels among females became quite common towards the end of Louis XIV's reign.

It is on record that one woman challenged another in the following terms: "I invert the order of the times and, contrary to female custom, send to tell you that I am on the pavement sword in hand to do battle with you for the possession of Philemon." This duel took place, and the two amazons fought with such fury that both of them were killed!

In such a topsy turvy epoch no one saw anything strange in the masculine clothes and conduct of female swash-bucklers such as a Mademoiselle Maupin who possessed such great talent in fencing that she could hold her own with the best swordsmen of her day. She established a liaison with her fencing master, a man called Serannes, and went into partnership with him in organising fencing bouts, for which the public had to pay for admission.

She advertised herself as a woman fencer, but so out-

standing was her skill with the foils that the public could not credit her sex. One day, put off her stroke by the people in the room shouting out that she was a man, she was "pinked" again and again. She stopped the bout at once and kicking off her clothes gave the company ocular evidence of her veritable sex!

Gilbert tells us that after this their stock went up sky-high and the couple raked in the money!

This extraordinary woman was endowed with a dual personality, and one day decided that she was sick of men in general and Serannes in particular. She fell in love with a beautiful young woman whom she saw in a box at the opera!

She succeeded in discovering the address of the object of her perverted affections, obtained an interview, and carried the poor child off her feet with her passionate declarations.

The girl's parents discovered the unwholesome *affaire* and promptly put a stop to the theatre-going of their child. La Maupin, however, managed to continue to meet the young woman at a friend's house.

These meetings were discovered and eventually her father and mother tried to put an end to the wretched business, by taking their daughter to Avignon and placing her in a convent there.

Mademoiselle Maupin followed her, found her way into the Convent as an inmate, and there resumed her *affaire* with the girl, but wanting to have her lover to herself she devised an ingenious plan to achieve her object. She proceeded to set the convent on fire and to secure the disappearance of her loved one placed the corpse of a young nun in her friend's bed and set light to it. In the confusion caused by the fire la Maupin managed to make her escape with the girl whom she eventually abandoned. Later on her unfortunate victim was obliged to creep back in a pitiable plight to her parents, who recognised her with

difficulty as they believed that the charred corpse found in her bed was their daughter and had mourned her as dead.

This la Maupin woman was as handy with any other weapon as with the sword.

Arriving at an hotel late one night, she told the landlord she wanted supper. As it was not forthcoming with sufficient alacrity she seized a spit which was hanging on the wall and belaboured the cook with it. The other servants tried to intervene on behalf of their colleague, but this amazing woman was too much for the lot of them!

La Maupin did not weary of her masquerade until she began to grow old, when she abandoned the breeches for the petticoat, and disappeared from the swashbucklering circles she loved so well, and in some lonely suburb of Paris sank to obscurity.

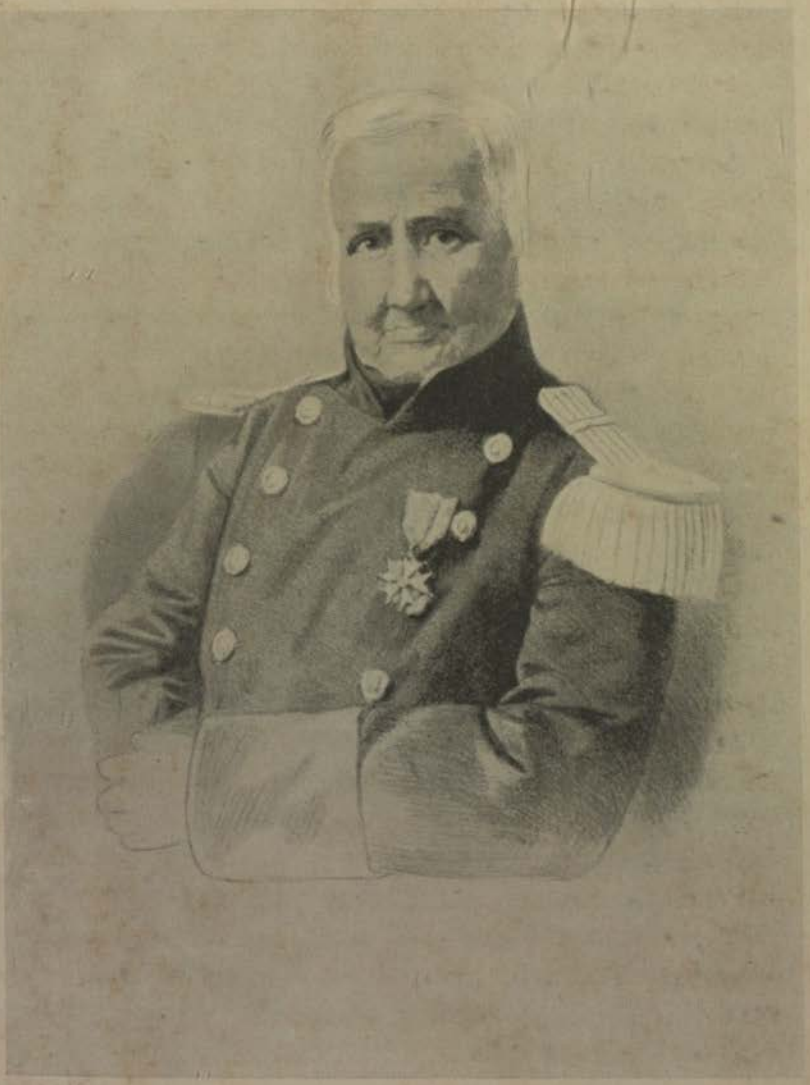
In the early days of the eighteenth century a girl called Hannah Snell, who came of a fighting stock from Worcester, but was then living with her sister at Wapping, married a Dutch sailor.

The brute ill-treated and in the end deserted her, but she determined to put on man's dress and go in search of him. Borrowing her brother-in-law's name and a suit of clothes, she enlisted in a regiment of foot and held her own amongst the rough soldiery of the period.

Fearing recognition by a man who had known her at Wapping, Hannah deserted and tramped all the way from Carlisle to Portsmouth where she enlisted afresh in a regiment of marines.

On board ship she was immensely popular with her comrades, washed their shirts, cooked their food and laughed at their stories.

After various wanderings, Hannah's regiment disembarked in India and was employed in the siege of Pondicherry. The soldier girl fought bravely throughout the siege, and in one of the battles under the walls of Pondicherry she is said to have received no fewer than eleven wounds.



A Fighting Frenchwoman

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In the field hospital she only showed the surgeons the bullet wounds in her limbs, but made no mention of a ball which had entered her side, as she was afraid that an examination might disclose her sex. This wound gave her more pain than all the rest put together, and she made up her mind that in order to avoid being discovered for a woman she must extract the bullet herself. She secured the help of a native who was acting as nurse; and setting her teeth to prevent herself crying out with pain, she localized the bullet, and then pressed the place until it was near enough to the surface for her to pull it out with her finger and thumb! The pain of this operation must have been intense, but the self-control of this heroic woman warrior was so great that she managed to reach for the lint and ointment placed within her reach by the nurse, and dressed the wound. She looked after her wound so well that three months later she was as well as ever, and able to resume her work on board a ship.

Hannah returned to England in 1750 and it was not long before her remarkable story reached the ears of the Duke of Cumberland, son of George II, who was Commander-in-Chief of the British Army at the time.

A petition was drawn up, setting forth her military achievements, and requesting the grant of a pension in consideration of her services. An accident enabled Hannah to deliver this petition in person to the Duke as he was leaving his house in Pall Mall, and His Royal Highness was so impressed with the glory of this warrior woman's career that a pension of a shilling a day for life was bestowed on her.

The amount does not sound much to us to-day but money went a great deal further in those times.

But her fame as a female soldier was worth much more to Hannah than the scars she had won in His Majesty's service. The manager of a music hall, saw that advertisement of "the celebrated Mrs. Hannah Snell, who had

gained twelve wounds fighting the French in India," would be a great draw, and so she was, with the result that this warrior woman is last heard of singing to a fashionable audience the songs which had delighted her comrades on the high seas and in the Indian wars.

Towards the end of the century, the century we are discussing—the eighteenth—a woman called Angelique Brulon was one of the heroic Frenchwomen who gave their services to the armies of revolutionary France. In 1792 she joined the 42nd Regiment of Foot, in which her husband had died and in which her father was still serving. Her sex became known, but her conduct, both as a woman and a soldier, was so honourable that Angelique was permitted to remain in the service. She served for seven years, from 1792 to 1799, and went through seven campaigns, under the *nom de guerre* of "Liberté," holding successively the ranks of fusilier, lance-corporal, corporal, sergeant and sergeant-major in her regiment.

On several occasions, notably in the attack on Fort Gesco, in Corsica, and at the siege of Calvi, Angelique displayed a bravery and a courage that were truly heroic.

Among numerous, well-authenticated testimonies bearing witness to her brilliant services, Gilbert quotes the following:

"We, the undersigned, corporal and men of the detachment of the 42nd Regiment in garrison at Calvi, certify and bear witness that on the 5th Prarial of the year II, citoyenne Marie-Angelique Josephine Duchemin, *veuve* Brulon, acting-sergeant, was in command at the attack on the Fort at Gesco, and that she fought with us with the courage of a heroine. The Corsican rebels and the English having decided to charge, we were compelled to fight hand to hand, when she received a swordcut on the right arm and, a moment later, a dagger-thrust on the left. Later on seeing that we were running short of ammunition at midnight, she set out, despite her wounds, for Calvi, a mile and a half away, where, with the zeal and courage

of a true daughter of the Republic, she obtained the services of sixty women, whom she loaded up with munitions and led back herself, so enabling us to repel the enemy and retain possession of the fort, wherefor we have every reason to congratulate ourselves on her leadership."

The signatures follow.

Subsequently, at the siege of Calvi, Angelique was working one of the guns when she was badly wounded in the left leg by a shell splinter. Being thus rendered unfit for service, Angelique was admitted to the Hotel des Invalides.

In 1833 there appeared an account of "The Female Hussar," a woman who was the wife of a quartermaster called Poncet, but was known in her Hussar regiment as Breton Double.

This warrior woman distinguished herself at the battle of Eylau, where, we are told she dashed forward, sword in hand, slew the Prussian captain, defeated the allied Russians and Prussians, extricated the French infantry who were in difficulties and rode back to headquarters with the sash of the officer she had killed.

At the battle of Friedland in the same campaign, Breton Double sustained a deep sword-cut on the right thigh, but, the woman Hussar went on with the fight and was hit soon afterwards by a bullet under the right armpit. Breton Double staunched the bleeding and bound up her wounds with her cravat, and taking her sword in her left hand, stuck to her horse and continued to advance against the retreating enemy.

She took six Prussian prisoners and brought them to Napoleon, who took off his cross and pinned it on to her heroic breast.

That, at all events, is the story as told by the biographer—the possibly too indulgent biographer says Gilbert—of Breton Double, for the register of the Legion of Honour shows no record of the circumstance.

At Waterloo, in 1815, Breton Double had a leg shattered by a cannon ball. Her husband, now a captain, was killed alongside her. Taken prisoner, Breton Double was treated with great respect by her British captors, but alas, her biographer does not give the final fate of the Female Hussar.

Fascinating as are the stories of Veuve Brulon and the Female Hussar I think they are rivalled by the history of Dr. James Barry, the adventurous girl who dressed herself up as a man, entered the Army Medical Service, and eventually attained in 1858 the grade of Inspector-General. This lady has a place of her own in the Dictionary of National Biography and is said to have been the grand-daughter of a Scottish earl, but little is known of her early life.

She entered the Army at the age of eighteen as a hospital assistant, and maintained her disguise successfully until her death in 1865.

She served at Malta and at the Cape of Good Hope and became medical adviser to Lord Charles Somerset, Governor of Cape Colony.

Dr. Barry has been described as "the most skilful of physicians and the most wayward of men; in appearance a beardless lad with an unmistakably Scotch type of countenance, reddish hair and high cheekbones. There was a certain effeminacy in his manner which he was always striving to overcome. His style of conversation was greatly superior to that one usually heard at a mess-table in those days."

Whilst at the Cape she fought a duel and was sent home under arrest on more than one occasion for breaches of discipline, but she must have been a great favourite at headquarters for her offences were overlooked each time.

The sex of this remarkable woman was not discovered until her death in London, and caused the greatest amazement even to the black servant who had been with her for many years. The motive for her masquerade is said to have been love for an army surgeon.

It was not merely European women, who, during the eighteenth century and during the early days of the nineteenth distinguished themselves with sword in hand on many a tented field.

During the chaos which preceded the break-up of the Moghul Empire, a group of Indo-British and French officers attained wealth and power with little to recommend them except the force of their swords. In this small but remarkable body of adventurers we find a little Indian slave girl whose power and influence was as great, if not greater, than any one of them.

This famous woman, who was called the Begum Sombre or Samru, was the virtual queen of a district as big as many European countries which had been given to her reputed husband, William Reinhardt, for the maintenance of a legion of mercenaries in the nominal service of the great Moghul.

Reinhardt was a Walloon, who came out to India in the French service and became the leader of a band of European deserters and Sepoys, whom he raised to a remarkable standard of efficiency and discipline.

Reinhardt took the name of Sombre and conferred on himself the rank of General. He had a Moslem wife, and the Begum was only a favourite slave girl whom he had purchased at Delhi. She became a Roman Catholic and appears to have gone through a form of marriage with Reinhardt, and to have been a woman with remarkable military instincts, as when besieging a place called Gokargurh, the Imperial Forces were taken by surprise by a sortie from the garrison and the assailants penetrated to the centre of the camp where the Emperor was himself reposing in his tent. The Begum in her palanquin, with three battalions and a field-gun, successfully repelled the attack of the garrison. The Emperor's person was saved, the defence turned into a rout and the place was carried in the rush of the pursuit. The credit of the day was justly awarded to the valorous lady and she was publicly thanked

by the Sovereign and honoured by the title of Zeb-un-nissa, meaning "Glory of the Sex."

After this exploit the Begum formed a liaison with a French officer whom she afterwards married. The Begum and her new husband settled at Sardhana, but getting into difficulties with the British the pair cleared off one morning with as much portable property and hard cash as they could carry, but they were pursued and the Begum stabbed herself with a dagger. Thinking she was killed, the pursuers followed her husband who put a pistol to his head and shot himself. The Begum's wound, however, was not serious, and she recovered. She was a woman of shrewd ability, and, after establishing a good understanding with the British Government, her forces were eventually received into British pay. She died in 1836.

Coming down to our own days we find that women have even taken up the role of piracy. Aleko E. Lilius, in an interesting article in *Britannia & Eve*, points out that it is not generally known in this country that all the territory, especially the islands along the South China coast, starting from a point only a few miles west of the Portuguese colony of Macao, to the Leichow peninsula, and even the shores of Indo-China, is in the hands of a number of pirate clans. The chiefs of these clans are the autocratic rulers within their "principalities," which they have either inherited from their forefathers or wrested in warfare from rival chieftains. They rule supreme and their laws are the only laws obeyed in this part of "the Orient earth."

The trade of buccaneering, in one form or another, is in the blood of the South China coast people. The rocky islands, turbulent waters and adjacent hills provide refuges where even a settled government might hesitate to attack, but to-day the Chinese authorities are too busy with their own internal wars, to interfere with them.

Many of these pirate chiefs have built formidable forts on the islands along the coast, and have even organised

small armies. From these fortified islands they prey on passing junks. If the cargo is not valuable enough to be stolen outright, they levy a tax on the vessel and occasionally take a few of the passengers to be held for ransom. If the ransom is not forthcoming "within a reasonable time," the victim is killed—for the Chinese pirate believes in the maxim that dead men tell no tales. As a "reasonable time" the pirates consider the third demand for ransom, which "is usually accompanied by the victim's ear, a finger, or a whole hand; not so much as a means of identification as to emphasise the sincerity of the demand."

Amongst the pirate chieftains is a woman called Lai Choi San, the woman pirate, and Mr. Lilius induced her to let him take a trip on her ship. He tells us that this pirate queen does not approve of high sea piracies and wholesale murders, and confines her activities strictly to her own territory.

Lai Choi San is a woman of about forty years, and is the commander of twelve armed junks.

Her "court" is a very simple one; her throne is only an empty wooden box on the high poop of the flag junk of her little fleet and her only personal attendants are two *amahs*.

The Chinese pirate queen is the daughter of a pirate chief who started life as a penniless coolie but gradually got into the good favour of a brigand chief who made him his "Number One," or second in command. When the chief died unexpectedly, Lai Choi San's father proclaimed himself chief. His methods of making money were easy as he collected blackmail from fishing and other junks in return for a guarantee that no other pirate would harass them. "If a junk refused to pay, it would disappear and the crew would be slain with the exception of one man who was allowed to go back to his home town to tell the tale, thus inspiring fear and respect for the blackmailing pirates."

Lai Choi San is probably rich beyond belief.

So far Mr. Lilius tells us that she has had only two consorts, but many lovers. Her first consort she was really married to when her father was living, but this husband was gathered to his ancestors after some rather lively family dispute! The second consort was not a real husband, and he soon followed his predecessor.

Now Lai Choi San rules alone in her pirate kingdom.

Judging from the photographs which Mr. Lilius gives us, it must be her wealth—or charm—which attracts the lovers to-day!

But all the historic achievements of women in arms to which I have referred are overshadowed in our own times by the position accorded to women in the Soviet armies. Complete equality with men is an accepted fact, and not only do women hold important commands but they actually act as instructors to men in military subjects.

The *Daily Telegraph* published recently a picture of a woman lieutenant of the Machine Gun Corps instructing a class of men.

When I was at Archangel in 1919, I heard of the exploits of a battalion of Russian women formed in 1917.

The battalion was organized by Madame Bochkarev, who trained her amazons to such a pitch of efficiency that they were held up as an example to the men.

The women warriors served at the Front and afterwards returned to Petrograd to support the Provisional Government under Kerensky.

The heroic women were literally cut to pieces by the Bolsheviks.

CHAPTER VI

WOMEN MASQUERADERS

Whate'er the passion, knowledge, fame or pelf,
Not one will change her neighbour with herself;
The learn'd is happy nature to explore,
The fool is happy that he knows no more.

POPE.

IN addition to the gallant women referred to in the last chapter, there have been a number of women who have adopted the guise of men for far less worthy objects. They have been merely masqueraders, or in some cases, sexual inverts.

In the seventeenth century Christina, Queen of Sweden, was a remarkable woman of this type. She startled Europe by her masculine behaviour. She could not be induced to marry, but she preferred the society of men to women. After ten years' rule she abdicated in favour of her cousin, Charles Gustavus.

She adopted male attire and entered Rome. She was accused of ordering the execution of one of her major domos. Her life was a series of adventures and scandals which are not worth recalling as during the past fifty years there have been plenty of incidents of women who for long periods have passed themselves off as men.

Without going further back than 1884 we find the *Lancet* recording the case of a person called John Coulter, who was employed for twelve years as a labourer by the Belfast Harbour Commissioners. It was not till "John" was killed as the result of an accident, it was discovered that she was a woman. She was fifty years of age, and had spent the greater part of her life as a man. When employed as a man-servant on a farm, she had "married" her mistress's

daughter. The pair lived together for twenty-nine years, but during the last six years had separated, owing to the "husband's" dissipated habits. No one ever suspected her sex, as she was of masculine appearance and fine physique.

Havelock Ellis in his remarkable Study of Sex Psychology tells us of a person known as "Murray Hall," who died in New York in 1901. Her real name was Mary Anderson, and she was born at Govan, in Scotland. Early left an orphan, on the death of her only brother she put on his clothes and went to Edinburgh, working as a man. Her secret was discovered during an illness, and she bolted to America, where she continued to wear male attire for thirty years, making money, and becoming somewhat notorious as a riotous "man about town" and a Tammany politician. Her secret was not discovered till her death, when it was a complete surprise, even to her adopted daughter. Murray "married" twice; the first marriage ended in separation, but the second marriage lasted for no less than twenty years, when the "wife" died. She associated a great deal with pretty girls, and was very jealous of them. Murray was not very masculine in general build, and she had a squeaky voice, but her ways, attitude, and habits were all essentially masculine. She sometimes drank somewhat to excess, swore a great deal, smoked and chewed tobacco, sang ribald songs; could run, dance, and fight like a man, and had divested herself of every trace of feminine daintiness. She wore clothes which were always rather too large in order to hide her figure, baggy trousers, and an overcoat even in summer.

Another case at this period was that of Catherine Coome, who adopted masculine habits and attire for forty years successfully. She married a lady's maid, with whom she lived for fourteen years. Having adopted a life of fraud, her sex was discovered in prison and her case gained publicity in the London papers as that of the "man-woman."

In the same year as Murray Hall's deception came to light—1901—the death on board ship was recorded of Miss Caroline Hall, of Boston, a water-colour painter who had long resided in Milan. Three years previously she discarded female dress and lived as "husband" to a young Italian lady, also an artist, whom she had already known for seven years. She called herself "Mr. Hall" and appeared to be a thoroughly normal young man, able to shoot with a rifle and fond of manly sports. The officers of the ship stated that she smoked and drank heartily, joked with the other male passengers, and was hail-fellow-well-met with everyone. Death was due to advanced tuberculosis of the lungs, hastened by excessive drinking and smoking. Four or five years later three notable cases of this kind came prominently before the public.

One was Ellen Glenn, *alias* Ellis Glenn, a notorious swindler in Chicago, who was a "man-woman" of the large and masculine type. She preferred to dress as a man and had many love escapades with women. "She can fiddle as well as anyone in the State," said a man who knew her, "can box like a pugilist, and can dance and play cards."

Another case was a retired sailor, "Captain John Weed," who had commanded transatlantic vessels for many years. He was admitted to a Home for old sailors and shortly after became ill and despondent, and cut "his" throat. It was then found that "Captain Weed" was really a woman. Havelock Ellis was informed that the old sailor's despondency and suicide were due to enforced separation from a female companion.

About the same time an elderly policeman of Seville, who had been in attendance on successive governors of that city for thirty years, was badly injured in a street accident. He was taken to a hospital and the doctor there discovered that the "policeman" was a woman. She went by the name of Fernando Mackenzie and during the whole of her long service no suspicion whatever had been aroused

as to her sex. Mackenzie had been born in Paris. Her father was Scottish and her mother Spanish. She adopted male dress when quite young, served her time in the French army and then emigrated to Spain, where she contrived to enter the Madrid police force. She married there and pretended that her wife's child was her own son. She removed to Seville, still serving as a policeman, and was engaged as cook and orderly at the governor's palace where she served seven successive governors. In consequence of the discovery of her sex she was discharged from the police without the pension due to her; her "wife" had died two years previously, and "Fernando" spent all she possessed on the woman's funeral. Mackenzie had a soft voice, a refined face with delicate features, and looked very smart in her police uniform. When asked how she escaped detection so long, she replied that she always lived quietly in her own house with her "wife," and did her duty by her employers so that no one meddled with her.

In 1906 much attention was attracted to the case of "Nicholai de Raylan," confidential secretary to the Russian Consul at Chicago, who after her death, at the age of thirty-three, was found to be a woman. She was born in Russia and was small and slight in build, but was regarded as very "manly," by both men and women who knew her intimately. She was always very neat in her dress, fastidious in regard to shirts and ties, and wore a long-waisted coat to disguise the lines of her figure. She was "married" twice in America. Her first wife divorced her after a union lasting ten years, on the ground of cruelty and misconduct with chorus girls. Her second wife, a chorus girl who had been previously married and had a child, was devoted to her "husband." Both wives were firmly convinced that their husband was a man, and ridiculed the idea that "he" could be a woman. Havelock Ellis was informed that De Raylan wore a very elaborately constructed artificial penis. In her will De Raylan made careful arrangements

to prevent detection of her sex after death, but these were frustrated, as she died in a hospital.

In St. Louis, in 1909, a young woman of twenty-two, who had posed as a man for nine years, confessed that she was a woman. Her parents and other relatives were drowned in heavy floods in Texas and left alone in the world, she dressed as a boy in order to earn her living. She worked in livery stables, in a plough factory, and as a bill-poster. At one time she was the adopted son of the family in which she lived but appeared to have had no difficulty in deceiving her adopted sisters as to her sex. On coming to St. Louis in 1902 she became a basket-maker, associating with her fellow-workmen on a footing of masculine equality. One day a workman noticed the extreme smallness and dexterity of her hands. "Gee, Bill, you should have been a girl." "How do you know I'm not?" she retorted. In such ways her ready wit and good humour always disarmed suspicion as to her sex. She shunned no difficulties in her work or in her sports, we are told, and never avoided the severest tests. "She drank, she swore, she courted girls, she worked as hard as her fellows, she fished and camped; she told stories with the best of them, and she did not flinch when the talk grew strong. She even chewed tobacco." Girls began to fall in love with the good-looking boy at an early period, and she frequently boasted of her feminine conquests; with one girl who worshipped her there was a question of marriage. On account of lack of education she was restricted to manual labour, and she often chose the hardest kind of work. At one time she became a boilermaker's apprentice, wielding a hammer and driving in hot rivets. Here she was very popular, and became local secretary of the International Brotherhood of Boilermakers. In physical development she was quite an athlete. "She could outrun any of her friends on a sprint; she could kick higher, play baseball, and throw the ball overhand like most of the club members." The physician who examined her for an

insurance policy remarked: "You are a fine specimen of physical manhood, young fellow. Take good care of yourself." Finally, in a moment of weakness, she admitted her sex and returned to the garments of womanhood.

In 1912, a servant-girl of twenty-three was charged in the Acton Police Court with being "disorderly and masquerading," having assumed man's clothes and been living with another girl, taller and more handsome than herself, as husband and wife. She was a very intelligent girl, intellectually much above the domestic servant class as in her spare time she wrote stories for magazines! The two girls became attached through doing Christian social work together and as they were both of a jealous disposition, they resolved to live as husband and wife to prevent any young man from coming between them. The "husband" became a plumber's mate, and displayed some skill at fisticuffs when at length discovered by the "wife's" brother. Hence her appearance in the Police Court. Both girls were sent back to their friends, and situations found for them as day-servants. But as they remained devoted to each other and refused to live apart, arrangements were made for them to live together.

Another case mentioned by Havelock Ellis is that of Cora Anderson, "the man-woman of Milwaukee," who posed for thirteen years as a man, and during that period lived with two women as her wives without her disguise being penetrated. (Her *Confessions* were published in the *Day Book* of Chicago during May, 1914).

Coming down to recent years, I have only space to refer to one story, the case of "Colonel" Barker, which differed in some way from most of the masquerades already recounted.

"Colonel" Barker was born in Jersey, the daughter of Mr. William Barker, a highly respected resident.

In 1918 she married at Milford, Surrey, Lieutenant Harold Arkell-Smith of the Australian Force; but the marriage was unhappy.

Then Mrs. Arkell-Smith went to Warminster, Wiltshire, and met a Mr. Pearce Crouch. She lived with Crouch as his wife and had two children, a boy and a girl, aged respectively nine and seven at the time of her trial.

In 1922 she left Mr. Pearce Crouch, and having adopted men's attire, became a customer at the chemist's shop kept by a Mr. Haward at Littlehampton.

Masquerading as Sir Victor Barker, she proposed marriage to Mr. Haward's daughter and went through a form of marriage with her at the parish church at Brighton on November 14, 1923. She described herself in the marriage register as Sir Victor Barker, bachelor.

During her masquerade as a man, Mrs. Arkell-Smith passed at first as a captain in the army, but later on promoted herself to the rank of colonel. She provided herself with a number of war medals and claimed to be a Companion of the Distinguished Service Order.

For four years the two women lived together as man and wife, and then "Lady Barker" returned to her father, the Littlehampton chemist.

In 1927 "Captain Victor Barker, D.S.O.," became associated with the National Fascisti Movement and was summoned for an offence against the Firearms Act. She was acquitted. On this occasion when she came into court for trial her eyes were bandaged and she was led into the dock by a friend. The explanation given was that Barker had previously suffered temporary blindness owing to war wounds and the strain on "his" nerves had brought on the trouble again. The prosecuting Treasury Counsel, Sir Percival Clarke, afterwards declared that not a soul in Court was aware that it was other than a man in the dock.

Soon after her first trial at the Old Bailey, this remarkable woman adopted the rank of colonel and continued her successful masquerade. It was not till "Colonel Barker" was arrested in connection with bankruptcy proceedings

and taken to Brixton Prison that she disclosed her true sex, and criminal proceedings were taken against her.

The woman with whom the "Colonel" went through the form of marriage said that the prisoner had courted her as a man, but the Recorder formed the view that Miss Haward knew of her "husband's" real sex.

These amazing histories indicate the wisdom of the saying that truth is stranger than fiction, and show that a great number of women have been able to pass themselves off as men and to continue the deception for many years on end, until some accident disclosed their secret.

CHAPTER VII

THE PEN AND THE PRESS

Pens are most dangerous tools, more sharp by odds
Than swords, and cut more keen than whips or rods.

JOHN TAYLOR.

Then hail to the Press! chosen guardian of freedom!
Strong sword-arm of Justice! bright sunbeam of truth.

HORACE GREELEY.

IT is curious evidence of the high positions attained by women in classical times—to which I have referred in earlier pages—that a great poetess, Sappho, flourished in the seventh century before Christ.

This woman wrote lyrics which are unsurpassed for warmth and passion, for their elegance and for their superb technical finish.

Sappho actually presided over a literary coterie of her day, and her work was quoted or imitated by later classical writers such as Horace, Lucretius and Lucian.

Indeed, Tennyson based some of his poems on the scanty survivals of the works of the world's greatest poetess.

When the Renaissance dispelled the gloom of the Dark Ages, women of literary tastes soon began to appear on the scene.

As far back as the seventeenth century Marie Marquise de Sevigné was educated by the Abbé de Coulanges with such success that her command of the French language has rarely been excelled. Married at eighteen, her wedded life was unhappy, but the death of her husband left her a widow at twenty-five.

For the remainder of a long life she devoted herself to her children, and it is to her affectionate care of her daughter that we owe the majority of those remarkable letters which

place Madame de Sevigné amongst the best writers in the French tongue.

Her letters are models of the beautiful and expressive language of her day.

Madame de Staël is another great French writer. Born in Paris in 1766, the daughter of Necker, a well-known financier, she married the Baron de Staël-Holstein in 1786 and three years later published her famous *Lettres de Rousseau.*

In 1792 the Revolution sent her wandering in Switzerland, England, Germany and Italy, but adding to her reputation by publishing further books.

Returning to France she quarrelled with Napoleon and was sent into exile.

She went to Weimar and studied literature under Schiller and Goethe. In 1804 she became the mistress of August Schlegel, the famous translator of Shakespeare's works into German.

In Italy in 1805 she published *Corinne,* her masterpiece, and returning to France was again exiled.

Her *De L'Allemagne,* which was seized when going to press by the Imperial police, won her access to the best literary circles outside her native country.

In this book she combats the French attitude towards German literature, which has been summed up in Voltaire's gibe that "The Germans wanted more wit and fewer consonants."

Before the writings of Madame de Staël German literature was not merely unknown but despised in France.

This woman writer opened up to the French reader the splendid fields of German literature.

It seems certain that although early in the eighteenth century Lady Mary Wortley Montagu, referred to in another chapter, Lady Hervey and the Duchess of Queensberry were women of great intellectual taste and some literary ability, it was not till the days of Johnson that English women began to form literary coteries of their own.

Indeed it is to this period that most people trace the

origin of the term "blue-stocking." On the authority of Boswell the term came into use about 1781 in connection with the practice of some ladies of fashion to have evening assemblies where women of literary tastes could associate with the writers, orators and "ingenious men" of their day.

Boswell says these gatherings were called "Blue-Stocking Clubs" on account of a certain member who made it a practice to wear blue stockings.

Doran, the learned editor of *Notes and Queries*, commenting on this statement, declares that a Blue-Stocking Club never existed, but that the title "blue-stocking" was conferred in derision upon the ladies Boswell refers to by some envious people who were not sufficiently distinguished in art or letters to gain admittance to these select literary parties.

Dr. Brewer, however, assigns to the sobriquet a much greater antiquity. He tells us that as far back as 1400 there was a literary society in Venice whose members were distinguished by the cerulean colour of their stockings.

This society was the parent of similar assemblies which became the rage among the *savantes* of Paris about 1590, but it was not till nearly two centuries later still that the craze crossed the Channel and took by storm the ladies who admired the literary circle of which Johnson, Goldsmith, David Garrick, and Reynolds were the central figures.

There seems little doubt that it was Mrs. Montagu who was the first to display the badge of the *Bas Bleu* at her Salon in Hill Street, and that notwithstanding Boswell's dictum and Doran's jibe it is highly probable that the ladies of her literary Club did wear blue stockings as a distinction.

Mrs. Elizabeth Montagu was born in 1720. She was descended from a Scottish line, the owners of the estate of Rokeby which acquired literary fame through Sir Walter Scott's poem.

She married a grandson of the first earl of Sandwich—Mr. Montagu, a wealthy owner of coal mines and a man of considerable intellectual attainments.

Some of my readers will learn with surprise that when this attractive young woman set off on her honeymoon fashion decreed that it would be very improper for her to travel without a chaperon, so the happy bride was accompanied by her sister as a travelling companion.

Mrs. Montagu developed literary tastes in her early childhood, and is said to have copied out the whole of the *Spectator* before she was eight years old, which may account for the facility of her style.

She published in 1769 her *Essays on the Genius and Writings of Shakespeare*, a reply to Voltaire's jealous strictures on our greatest dramatist.

Burke, Reynolds, Lyttleton and Cowper expressed much admiration for this little book, but Johnson had, in modern parlance, "no use for it."

At Mrs. Montagu's residence in Hill Street assembled all the literary men and women of her time, including Mrs. Carter, the learned translator of Epictetus, Hannah More and the ever-delightful Fanny Burney.

Fanny Burney was the daughter of Charles Burney, the famous authority on the history of music.

Fanny taught herself to write at the age of ten, and at once started to write stories.

Her precocity was doubtless due partly to heredity and partly to the fact that she was constantly meeting at her father's house the leading literary men of her day.

The attitude of mind of a large section of the women of the latter half of the eighteenth century is revealed by the fact that she was induced to burn her precious manuscripts at the age of fifteen as her mother regarded writing with a view to publication as a most unladylike practice!

The story of her first and greatest novel, *Evelina*, was planned in her teens, but the book was not published till 1778.

The authorship of *Evelina* was preserved as a great secret at first, but when it was discovered that it had been written

by Fanny Burney it acted as an immediate passport to Mrs. Montagu's Blue-Stocking Club.

Dr. Johnson met her in Hill Street and became her devoted friend and admirer till his dying day.

He declared that some passages in *Evelina* would do credit to Richardson. In fact, the novel carried the literary men of London off their feet. Burke sat up all night to read it, and Sir Joshua Reynolds would not touch palette or brush until he had finished it.

But such fame did not make the novel a financial success as poor Fanny's publisher only paid her £30 for it!

Fanny married a French officer and is now best remembered for her famous diary which extended over seventy-two years and attracted much attention when it was published some years after Fanny's death about the middle of the last century.

The only other member of Mrs. Montagu's circle I have space to mention is Hannah More who came to London from Gloucestershire in 1774. Without any outstanding literary works to her credit she soon became one of the best known figures in the Blue-Stocking coteries. She flattered the Great Cham up to the top of his bent and became the friend of Burke and Garrick. David produced Hannah's tragedy, *Percy*, in 1777.

When the great actor died two years later Hannah came to the conclusion that play-going was immoral, and she quitted literary circles to consort with the clergy and philanthropists.

She organized a movement which led to the formation of the Religious Tract Society, wrote many religious works, and left her fortune to various charities.

Although the last of the clique, the Countess of Cork, did not die till 1840, the Blue-Stockings had ceased to attract attention when at the beginning of the last century Jane Austen published *Sense and Sensibility*.

To Jane must be given the credit of being the founder of the novel dealing with domestic life. All her characters

were drawn from her own immediate associates. Her sphere was of course limited, but in that sphere she stands supreme. She painted word pictures of the gentlefolk of her own day, and if her backgrounds were subdued her colours were vivid.

She makes her characters live and her humour is delightfully easy and spontaneous. She reveals remarkable insight into human nature, with fine discrimination of life and character.

Jane Austen commanded the immediate approval of such keen critics as Scott, Macaulay, Southey and Coleridge.

Here is an entry in the diary of Sir Walter Scott: "That young lady had a talent for describing the involvements, feelings and characters of ordinary life which is to me the most wonderful I have ever met with."

Lord Macaulay went so far as to say that she rivalled Shakespeare himself in the creation of characters, and once said of her work that there are in the world no compositions which approach so near to perfection.

Such ungrudging praise from such mighty men of letters falls to the lot of few authors, and when we remember that Jane Austen's best work was done when she was only twenty-two the greatness of this pioneer woman writer can best be appreciated.

A little later than Jane the Honourable Mrs. Caroline Norton, a grand-daughter of Richard Brinsley Sheridan, appeared on the literary scene. She was a great contrast to modest little Jane, as she was a splendidly handsome woman who inherited a large measure of literary and a good deal of poetical genius. Caroline, who was gifted with a pretty wit and brilliant conversational powers, made the acquaintance of Lord Melbourne through making an application for an appointment for a graceless husband who was a member of the Bar but had neither the talent nor the industry to carve out a career in the profession of his choice.

With a view to augmenting the family income, Mrs. Norton became a professional writer, publishing poetry and prose and establishing a considerable reputation both as a poetess and as a novelist. Her verse was in the then fashionable manner of Byron, and showed qualities of pathos and passion.

Lord Melbourne, who was nearly thirty years her senior, found the beautiful and brilliant young poetess a delightful companion and saw her a great deal.

The result was a famous trial launched against Melbourne when he was Prime Minister and at the height of his fame. The trial, of course, resulted in an acquittal and did nothing to damage Melbourne in the eyes of the young Queen whose early steps he was destined to guide.

But if the trial did not damage her admirer, it involved a separation from her husband, and obliged Mrs. Norton to write for her living, so that much of her work was merely "pot-boiling stuff."

She contributed to the various "Annuals," "Keepsakes" and "Books of Beauty" which were so fashionable from 1823 to 1850. But in 1840 appeared *The Dream* which impelled Lockhart in the *Quarterly* to describe her as the Byron of our Poetesses.

A little later—in 1845—Currer, Ellis and Acton Bell published a book of poems.

The authors were Charlotte, Emily and Anne Brontë, the daughters of an Irish clergyman, keeping their own initials but disguising their maidenhood under the names of men.

The book of poems was almost ignored, but, nothing daunted, each of the young writers proceeded to write a novel.

Emily's *Wuthering Heights* and Anne's *Agnes Grey* were accepted, but Charlotte's was rejected. Not to be outdone by her sisters, Charlotte proceeded to write *Jane Eyre*, which was published in 1847.

The novel was an immediate success.

The unusual characterisation, the force of expression and the dramatic sense of the writer took the critics by storm.

The publishers themselves were deceived, with the result that when Charlotte and Anne visited their office a scene followed something like this described by Clemence Dane in *Wild Decembers.*

Scene: A Publisher's Office (Smith, Elder & Co.)

George Smith (The Publisher): . . . "It isn't possible that I actually have the pleasure of speaking to Currer Bell?"

Charlotte Brontë: "I'm Currer Bell. This is Acton Bell."

George Smith (The Publisher): "But—I was under the impression—we've taken it for granted—that—that Mr. Bell——"

Charlotte Brontë: "No. I'm Currer Bell. I wrote *Jane Eyre.* Our real name is Brontë. My sister here wrote *Agnes Grey* and *The Tenant of Wildfell Hall.*"

George Smith (The Publisher): "But won't you sit down? I can't tell you how honoured I am—how delighted."

To-day women writers in newspaper and publishers' offices are no novelty, and indeed there is no branch of professional or semi-professional work in which women have attained a more secure position than in the world of letters.

To give a mere list of the women who have won honour and renown as writers would itself fill a chapter.

Let me mention but a few, with many apologies in advance for inevitable and much regretted omissions.

Taking first the field of fiction, whom shall I mention first?

I have put several names in a hat and the first to come out is Rose Macaulay who writes not only novels but verse and essays. She is the author of *Crewe Train* and *Going Abroad,* a kindly tilt at the Oxford Group Movement and the Beauty Specialists I have referred to in another chapter. Miss Macaulay has a well-poised and lively mind, a shrewd wit and a keen sense of irony which is never malicious.

THE BYRON OF OUR POETESSES,
THE HON. MRS. NORTON

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Some women writers have selected a special county for the scenes of their novels.

To those who love Sussex, the writings of Sheila Kaye Smith, who is the daughter of a St. Leonards doctor, make a strong appeal.

In *Sussex Gorse* she gives us vivid glimpses of

> Bare slopes where chasing shadows skim,
> And through the gaps revealed
> Belt upon belt, the wooded, dim
> Blue goodness of the Weald.

Other women have written tales of the sea, such as *Tom Fool*, by F. Tennyson Jesse (Mrs. Harwood), a keen yachtswoman whose father was a nephew of Lord Tennyson. The same writer has given a good account of a rising in Burma in *The Lacquer Lady*. Mrs. Harwood started in life as a painter and has worked for the *Daily Mail* as a reporter and written book reviews for the *Times Literary Supplement* and the *English Review*. She has a powerful masculine style and has written a number of plays.

One of the women writers who have written under masculine *noms de plume* was Mrs. Adams Beck who has disguised her identity as E. Barrington and Louis Moresby. She has written several historical novels based on the lives of famous people such as Byron, Napoleon, Marie Antoinette, and others.

The field of historical biography and romance has attracted many other women. Margaret Irwin is famous for her charming life of King Charles II's sister, Minette, entitled *Royal Flush;* Mrs. Gabrielle Margaret Long, F.R.S.L., writing under the pseudonym of Marjorie Bowen, has a great many historical novels to her credit and has recently added to her laurels by *The Patriotic Lady*, a vivacious study of Emma, Lady Hamilton.

As Harold Nicholson points out, to those who indulge in hero-worship this book may prove a trifle disconcerting. "Miss Bowen has little sympathy with Lord Nelson, and

depicts him as an unscrupulous little vulgarian, intent only upon self-advertisement and success. She cannot forgive the Hero of the Nile for dawdling at Palermo, and still less for the judicial murder of Caracciolo, for whom she appears to have contracted a deep personal affection.

"Miss Bowen dispels many legends, and among them the legend that Emma Hamilton was allowed by an ungrateful country to die in dirt and misery at Calais. From the financial point of view Emma did extremely well for herself. She did not die in squalor; she died in 'drab and tedious respectability.'"

Another popular historical novelist is Carola Oman who published a volume of poems, *The Menin Road*, in 1919. Her novel called *The Empress* is a life of Matilda, King Stephen's cousin, and another based on the life of William Shakespeare, called *The Best of His Family*, was published in 1933.

Helen de Guerry Simpson, the wife of a surgeon and a very versatile writer and biographer, may be referred to here. Her book, *Boomerang*, won the James Tait Black Memorial prize. She has also written a life of Henry VIII, detective fiction in collaboration with Clemence Dane, and the much discussed book, *Saraband for Dead Lovers*, based on the love affair of George I's wife. Miss Simpson is interested in witchcraft, and has given us a vivid book on the subject—*The Woman on the Beast*. This talented lady's other interests are more homely—cookery and book-collecting.

Reference to cookery reminds me of Gladys Bronwyn Stern, who has a profound interest in wine. Miss Stern has written plays and verse since the age of eight, and her first novel was published when she was only twenty. She is the authoress of *Tents of Israel*, *Debonair*—which was dramatised, *Little Red Horses*, *The Augs* and a great many other novels and short stories. Besides *Debonair* her principal plays are the *Matriarch* and the *Man who pays the Piper* produced at St. Martin's Theatre in 1931.

Miss Stern has a wonderful collection of walking sticks given her by a great variety of donors, including at least one Prime Minister. One of her sticks is an interesting relic of the prohibition days in America.

Miss Stern has recently had four months' experience working for R.K.O. Studios in Hollywood.

Sylvia Thompson (Mrs. Peter Luling), is another favourite whose modern style is very well suited to the present day society she describes in her novels *The Hounds of Spring*, *The Battle of the Horizons*, *Winter Comedy* and *Breakfast in Bed*. She published *The Rough Crossing* at the age of sixteen and is an accomplished platform speaker. Mrs. Luling lives in Venice and did a lecture tour in America in 1932.

The writing of detective fiction would seem more suited to the masculine than the feminine mind, yet two of the best known writers of "thrillers" are women: Agatha Christie, whose *The Murder of Roger Ackroyd* is almost a classic, and whose Hercule Poirot is perhaps the most lovable detective in fiction; and Dorothy L. Sayers, a polished writer as well as a gifted storyteller. Who has not been thrilled to the marrow by her *Lord Peter views the Body*, *Hangman's Holiday* and half a dozen other splendid yarns.

Famous crimes have also appealed to women writers as a basis for their novels, two notable examples being *Harriet*, by Elizabeth Jenkins, based on the Penge Murder, and Tennyson Jesse's *Pin to see the Peep Show*, suggested by the Thompson Bywaters' case.

A great many women combine the rôles of novelist, essayist and dramatist, notably Clemence Dane, authoress of the novels *First of the Blade*, *Broom Stages*, *The Babyons;* the essays *The Women's Side* and *Tradition and Hugh Walpole;* and numerous plays, *A Bill of Divorcement*, *Naboth's Vineyard* and *Adam's Opera*.

Other women have the gift of remarkable dramatisation in their novels, notably Margaret Kennedy, the wife of David Davies, K.C., Assistant Private Secretary to Mr.

Asquith in the early years of the War. He resigned the Civil Service to go to the Bar in 1919. Mrs. Davies is the authoress of *The Constant Nymph* and *Fool of the Family*, both of which have been dramatised. The stage version of the last named, entitled *Escape Me Never*, made the reputation in this country of the German actress, Elizabeth Bergner.

Men and women of letters have, in many instances, handed on their talent to their daughters and grand-daughters. Lady Eleanor Smith, the late Lord Birkenhead's daughter, writes novels of circus and gypsy life which are as full of movement and colour as the kaleidoscopic world she describes. Gilbert Frankau's daughter, Pamela, has inherited her father's ability and has several outstanding novels to her credit, *Tassel Gentle*, *The Fig Tree* and others, and quite recently an autobiography entitled *I find Four People*. Daphne du Maurier, the daughter of Sir Gerald du Maurier, and grand-daughter of George du Maurier of *Trilby* fame, has written several novels, *I'll Never be Young Again*, *The Loving Spirit*, and *The Progress of Julius*, which shows a surprising depth and maturity for such a young writer, and she has also written the much discussed biography of her father, *Gerald: A Portrait*. There must be very few people who have not read and been delighted with *The Diary of a Provincial Lady*, written by Elizabeth Monica Delafield, the daughter of Mrs. Henry de la Pasture. Her play, *To See Ourselves*, was produced at the Ambassador's Theatre and ran for six months. Miss Delafield lives in Devonshire and is a Justice of the Peace for the County.

The Hon. V. Sackville West, who wrote *The Edwardians* and the charming quiet book, *All Passion Spent*, is also a poetess, and won the Hawthornden Prize for her poem *The Land*. Edith Sitwell, one of the famous Sitwell trio, Osbert, Sacheverel and Edith, is another well-known and original poetess. She wrote *Bucolic Comedies*, *Gold Coast Customs* and a book called *The Eccentrics*.

There are a number of women writers who are deeply interested in social problems. I can only mention a few: Vera Brittain, who has a special knowledge of domestic history and politics, particularly in relation to war and peace and the position of women. One of her best known prose works is *Testament of Youth*, and she also wrote *Poems of the World After.*

Rebecca West, a gifted Irishwoman who is the President of the Femina Vie Heureuse Committee, has written several novels, *The Return of the Soldier*, *The Judge*, and also a life of Henry James, but she won her spurs as a political writer on *The Clarion.*

Margaret Storm Jameson is a lady who has made a study of economics and international affairs and these interests are reflected in such books as *Modern Drama in Europe*, *No Time Like the Present.*

Beatrice Mary Seymour, (Beatrice Kean Seymour), is interested in sociology and the rights of animals. She has published a number of novels, amongst them *Maids and Mistresses*, and is well known for her contributions to *Good Housekeeping* and the *Woman's Journal.* Anti-War Associations and anti-vivisection make a special appeal to her.

Ethel Mannin is deeply interested in child psychology, and has written a book, *Commonsense and the Child*, besides a number of novels. Readers of the *Daily Mail*, the *Daily Herald* and *Daily Express* are familiar with her well-informed articles.

These notes lead me to speak of women "in the Street." Mrs. Sarah Tooley, a member of the Council of the Society of Women Journalists, on being asked for a list of distinguished women journalists, in reply said that the following names at once occurred to her: Mrs. Emily Crawford, many years the brilliant Paris correspondent of the *Daily News* and *Truth;* Miss Billington of the *Daily Telegraph;* Mrs. Aria, who was a fashion expert for various papers; and Mrs. Humphry, "Madge" of *Truth.*

Let me close this chapter with a brief note on Winifred Holtby, who was born in 1898 and died in September, 1935.

The Viscountess Rhondda, herself a talented writer, tells us that Winifred played a leading part in building up *Time and Tide*. Lady Rhondda discussed every detail of the paper with her, and regarded her judgment as wise, sound, and always utterly disinterested.

Lady Rhondda says she was always full of ideas. "So full of ideas that I remember thinking once that she was like a tree in spring, budding all over. The extraordinary activity of that brain of hers, the constant rush of new ideas, the force of cerebration of which one was conscious is something I have scarcely met anywhere else.

"As a friend and companion Winifred was a delight. Almost always happy, full of humour and gaiety, and with a delicious satiric feeling for life and all its oddities that was a sheer joy. She had a knack of putting a thing so that it stayed in one's mind. I remember once grumbling about the lavish way one was expected to use the word 'love.' 'Oh, yes, of course,' said Winifred, 'there are some words that should never be put off the gold standard.'"

Her generosity with time, energy, vitality, and money was boundless. Lady Rhondda doubts if there is a single one of her friends or acquaintances who can lay his hand on his heart and say he never took advantage of her. It was almost impossible not to. She never let one know that what she did was an effort. Even during her last years when she must have known that to take toll of her strength was to take toll of her life, she gave as recklessly, as careless of the cost as ever.

Rebecca West said of her work in the *Daily Telegraph:* "She showed a particular gift of a very rare kind. . . . Gradually . . . she found the power to express in fiction the gift for satire which made her the most entertaining of companions. It is possible that *Mandoa, Mandoa!* will be read in the future as one of the few real satires produced by our age."

CHAPTER VIII

SCIENCE AND HEALING

Happy those whose written pages
Perish with their lives,
If among the crumbling ages
Still their name survives.

LONGFELLOW.

IN ancient times when the practice of medicine was largely in the hands of the Church, a great number of priestesses shared with the priests the management of temples and sanctuaries. In ancient Greece and in ancient Rome there were quite a number of women who practised medicine.

Scribonius Largus tells us of a medicine which he obtained from an African woman which was efficacious against epilepsy.

The Romans appear to have distinguished three different kinds of women healers. I am inclined to think, however, that the women practitioners of classical times were mostly midwives.

In this country in Saxon days both men and women practised medicine, but when the Universities acquired a sort of monopoly of all learning under Henry V a law was enacted which debarred women from practising medicine, but the master surgeons who formed a separate guild from the barbers in 1368 recognised women physicians in 1389.

We are told that in the Civil War, Lady Anne Halkett, who was the daughter of Thomas Murray, a Scottish nobleman, was so learned in both medicine and surgery that patients came to consult her not only from England but Scotland and even the Continent.

Lady Mary Wortley Montagu was not a medical woman. She was the daughter of the Duke of Kingston, and accompanied her husband to the East, where she learned something of the practice of inoculation for Small Pox.

On her return to England in 1718, she introduced the practice to this country, where it was taken up by the most eminent and far-seeing physicians of the day.

It was soon discovered that the practice was dangerous, but its introduction was an important step towards the discovery by Jenner in 1796 of the safe and efficient method of prevention known as vaccination of Cow Pox.

As mentioned elsewhere, the attendance on the sick up to mediæval times was the special work of religious sisterhoods. When at the Reformation these bodies were swept away, paid attendants took their place.

The task was not attractive, and social stigma rather than distinction was attached to it. The profession of nurse became despised and was followed, for the most part, by a low and illiterate type of women, though midwives were sometimes better educated and of a higher class.

Even in good well-managed provincial hospitals there was no distinction between a nurse and a domestic servant. Each received a salary of £5 a year! One nurse only was the allowance for a ward of seventeen patients. A nurse's day began at 6 a.m. The wards were cleaned till 7, when a bell was rung and each nurse had to bring down her ashes and sift them under the direction of the porter, who then gave her coals for the day. She took breakfast with the patients, who helped her, so far as they were able, with the ward work. At 2 p.m. she went to the servants' hall, where she had her dinner in company with the servants on daily hire. During the dinner the ward was left in charge of a patient. After dinner she took away a plate of meat and vegetables for her supper. For the night there was normally only one nurse for the whole hospital of about 100 beds. There were no regular holidays, and

the nurse was never allowed to leave the hospital before 6 p.m. The practice of nurses receiving gratuities from patients continued till 1870 and even beyond. Those patients who wished to secure a nurse's early attention for their dressings gave tips, those who did not frequently had to wait.

What sort of woman could such a system produce? That some nurses at least were kind and skilful, even under such conditions, is pleasing evidence of the natural goodness and wisdom that reside in the human heart. Many, however, can have been no better than Sairey Gamp and Betsy Prig.

The first important reform was inspired by Elizabeth Fry, who will be referred to again later on.

A young German pastor at Kaiserwerth, a little town on the Rhine, near Düsseldorf, opened a small hospital in 1836 in which six young women of the most spotless character were induced to serve as "deaconesses." It was their duty to perform all the tasks of the hospital in rotation. The physicians who attended the hospital gave them instruction. The Kaiserwerth idea rapidly spread and the "Kaiserwerth Deaconesses" became, and remain, to-day, an important order, which is still occupied in good works in many parts of the world.

In England, similar institutions were started in the 'forties and 'fifties.

Florence Nightingale, a lady of good social rank, was born in 1820, and was so interested in medical matters that in 1850 she went into training as a nurse with the Deaconesses at Kaiserwerth where she was profoundly impressed by the extremely high character of the deaconesses, most of whom were only peasant women.

Her opportunity came at the age of thirty-four when, during the Crimean War, the Army Medical Service, which had no women nurses, broke down badly. The French had a number of *religieuses* to nurse their sick, and a medical scandal of the first magnitude arose with regard to British wounded. Miss Nightingale offered her services

to go out to Scutari and organise a nursing department for the relief of the sick and wounded who were dying in thousands under pitiable conditions in the grossly overcrowded hospitals on the Bosphorus.

She departed accompanied with thirty-four nurses, ten of whom were Roman Catholic sisters, and set herself to improving not only the nursing but the sanitary arrangements of the hospitals.

Her wonderful devotion to the sufferers is a story that will be handed down throughout the generations to come as she has been immortalized as "The Lady with the Lamp." She herself, however, fell a victim to the fever in the spring of 1855, but insisted on remaining at Scutari till the summer of 1856 when Turkey was evacuated by the British.

Florence Nightingale returned to England a national heroine, and started a revolution in Nursing. A fund of £50,000 was raised for her to form an institution for training nurses at St. Thomas's Hospital in 1860, and this example was soon followed by the other London Hospitals.

Florence Nightingale was a woman of the most powerful will, and an admirable organizer and administrator. Her system of nursing contained many new features, some of which have not stood the test of time, but that nursing of the sick and wounded rapidly and steadily improved from the moment she was in authority cannot be doubted. Looking back, it is apparent that the immediate success of her methods was due to two main factors. The first was her capacity to secure women of high character and good social position to accept responsible positions as nurses. The second was that under her direction the control of the nursing staff passed from the hands of men entirely into those of women. Her fame and influence soon crossed the Atlantic, and Miss Nightingale was associated with the United States Sanitary Commission and with the women who took charge of army nursing during the American Civil War.

She was not a voluminous writer but contributed to a number of important publications on nursing, and died full of years and honours at the advanced age of ninety.

The indirect results of Florence Nightingale's work were almost as important as those that resulted directly from it.

One was the Red Cross Movement, which owed its inception to Henri Durant, and resulted in the formation of the International Red Cross Committee at Geneva, which exercises international control over the activities of the National Red Cross Societies which now exist in every civilized country.

These Societies, together with the Venerable Order of St. John, which has always welcomed women to its ranks, have rendered great services in many wars, and have been no less useful in peace.

Another result of the labours of the Lady of the Lamp was to inspire women to overcome the obstacles in their path if they wished to enter not merely the nursing profession but to practise the great healing profession itself.

The Universities still barred the way for the admission of women to their degrees, but one of what are known as the Medical Corporations looked with more favour on the aspirations of women. The Medical Corporations are the Royal Colleges of Physicians and Surgeons of London, Edinburgh and Dublin, the Royal Faculty of Physicians and Surgeons of Glasgow, the Apothecaries Hall of Dublin and the Society of Apothecaries of London. It was the last named body, the Society of Apothecaries of London which first threw open its doors to women.

The Society is an ancient City Guild which by Royal Charter and by Statute—since the days of James I—has controlled at first pharmacy and later on what we would now call "general practice."

When the registration of medical practitioners became law the Diploma of this ancient Corporation entitled the holder to be placed on the Medical Register.

In 1865, Elizabeth Garrett, who was born in Aldeburgh in Suffolk, obtained from the Society its diploma, and was duly enrolled on the Medical Register as the first English woman to qualify as a practitioner in this country. There was already on the Register the name of one woman graduate of Geneva. Dr. Garrett immediately started to practise, and proceeded to start a dispensary for women and children in Marylebone.

She married a Mr. Anderson, became widely known as Dr. Garrett Anderson, and held many important professional posts. She took a great interest in Municipal affairs, and was the first woman to be Chief Magistrate of a town or city in this country.

The Elizabeth Garrett Anderson Hospital is a memorial to the memory of this pioneer medical woman, but for the greater part of the remainder of the nineteenth century the opposition to women entering medicine was almost as bitter as it is to-day to women entering the priesthood.

The existing medical schools looked askance on women students and would not admit them, so, through the work of Dr. Sophia Jex Blake, the London School of Medicine for Women was opened in 1874, and in 1877 the Royal Free Hospital placed its clinical resources at the disposal of female students and became the great centre for the instruction of women doctors.

On the other side of the Atlantic Elizabeth Blackwell had graduated M.D. in 1849 and a Medical School for women had been established in Philadelphia the following year, so that their American sisters were nearly a quarter of a century ahead of English women in organizing a Medical College of their own.

In 1886 Dr. Sophia Jex Blake founded the Edinburgh School of Medicine for women, and other provincial schools commenced to admit women, but in the Metropolis, since the foundation of their own School, the education of medical women has gone from strength to strength.

In 1896 the Irish Colleges, with true Celtic courtesy, admitted women to their examinations, and the London University led the way by throwing open its degrees to both sexes. Slowly but surely the other universities and licensing bodies have followed this lead, and now every medical grade and diploma is open to women, so that to-day the old rivalry between the sexes has passed away and women are the honoured comrades of men in every sphere of medical practice.

Even in the most unlikely spheres of action, such as the Army Medical Service, women doctors have rendered great and valued service.

I refer elsewhere to Dr. "James" Barry who rose to the rank of Inspector General in our Army. Subsequent to this remarkable person the first woman to serve on the staff of any army in time of war was Dr. Mary E. Walker, who graduated from the medical school at Syracuse in 1855 and began to practise medicine in Columbus, Ohio. Later she moved to Rome, N.Y., where she was permitted to wear male attire. During the Civil War she was commissioned lieutenant and assistant surgeon. She was once taken prisoner but exchanged for a man soldier. She received a medal for bravery and was for many years prominent in Washington as "the woman doctor who wore trousers"! This fad was excusable as Dr. Walker was so small in stature and so feminine in appearance and manner that she felt that she must do something to show that she claimed the same rights and deference as men doctors!

During the Spanish-American War, Dr. Anita Neweombc McGee, of Washington, D.C., served as an Acting Assistant Surgeon. She had taken her medical degree at the George Washington University in 1892, had studied at John Hopkins famous hospital, was married and had two children when the war broke out. Through the Daughters of the American Revolution which she had been influential in organizing, she was called upon to organize nursing for

the army. Dr. McGee selected a corps of 2,000 nurses which served through the Spanish war, the Philippine insurrection, the Boxer troubles, and later with the Japanese army during the war with Russia in 1904.

During the Great War of 1914–1918 Dr. Rosalie Slaughter Morton, of Virginia, was commissioned in 1917 to take Red Cross supplies to Serbia. Dr. Morton served both as a Red Cross Commissioner and as a surgeon at the Serbian Front.

Dr. Olga F. Stastny, of Nebraska, served in Czecho-Slovakia and Greece with the Red Cross, the Near East Relief Fund, and the American Women's Hospitals. For many months, Dr. Olga served on the barren island of Macronesi, off the coast of Greece, her helpers being mostly Armenian refugee doctors and Greek soldiers. Ten thousand refugees were de-loused, cured of typhus or cremated, and treated for all sorts of contagious diseases. Their food was chiefly bread and water from the mainland of Greece.

In our own army that great lady, Dame Louise McIlroy, served as Surgeon-in-Chief of the Girton and Newnham Unit of the Scottish Women's Hospital in Serbia, and as Surgeon attached R.A.M.C. to a General Hospital at Constantinople.

Dr. Dorothy Hare, C.B.E., was first attached to the R.A.M.C. at Malta and later Medical Director of the Women's Royal Naval Service.

In other spheres of medical work, I may mention Dame Janet Campbell who has been Senior Medical Officer for Maternity and Child Welfare in the Ministry of Health; Dr. Selina FitzHerbert Fox who has been Governor and Medical Officer in the Convict Prison Service; Dame Louisa Aldrich Blake, D.B.E., a former Dean of the London School of Medicine for Women, and Lady Barrett, the present Dean, who is one of the few women who have been honoured by the late King by being made a Companion of Honour.

The novelists of the nineteenth century throw interesting but often biased and distorted sidelights on the life of

the medical women of their times. In 1876 Charles Reade, in *The Woman-Hater*, based Rhoda Gale, the "lady doctress" on his conception of the life of Sophia Jex Blake. Dr. Jex Blake studied medicine in the United States and returning to Scotland, graduated from the University of Edinburgh. Charles Reade was entirely wrong in his estimate of her psychology, and grossly misrepresented Dr. Jex Blake's career. Rhoda Gale is not a sympathetic heroine, neither lovable nor loving; in fact, she is the antithesis of Sophia Jex Blake, who was a splendid type of pioneer woman. Mark Twain and Charles Dudley Warner in *The Gilded Age* depict a Quaker woman doctor, Ruth Bolton, a frail female who marries and never goes into practice. Then there is *Dr. Zay*, by Elizabeth Stuart Phelps, which followed *Dr. Breen's Practice*, by William Dean Howells; Grace Breen is a shadowy homœopathic doctor with little to recommend her to patients or to marriage proposals. She is the fainting and shy type of a girl, admired by our grandmothers; Dr. Zay, on the other hand, is a good example of the strong-minded, well-educated woman, but here again the heroine ended her medical career by marriage. This was just what the early pioneer women in medicine did *not* do. Many of them did marry, but they continued to practise, and raised families of three or more children who became lawyers, doctors, or administrators. For instance, Dr. Mary Frame Thomas had a daughter who became president of Wellesley College.

In a different class from the novels I have mentioned is *Dr. Janet of Harley Street*, written by a medical woman, Dr. Arabella Kenealy. In this book the heroine is somewhat more masculine, and more strident and militant than the modern medical woman, but she is what we would style nowadays a real "live wire." When *Dr. Janet* was written in 1890, there was another English novel popular with libraries entitled *Mona McLean.* The heroine was a good type of normal woman who studied and practised

medicine. This book was written by Margaret Todd, who, in 1918, wrote the actual biography of Sophia Jex Blake. Mona is shown to us as a born fighter and an admirer of certain masculine traits, but she is a lovable woman, and an indefatigable worker in the cause of medical women.

Before passing from this rough sketch of a subject more worthy of a book than a chapter, I would like to say that women doctors have fully justified the trust left to them by the pioneers. In Great Britain alone there are 5,600 women doctors, and in every part of the world to-day, there are beloved women general practitioners, famous women surgeons, excellent women teachers in medical schools and expert women specialists in every department of medicine, surgery and the ancillary sciences. In addition, numberless women doctors are engaged in the strenuous paths of scientific research, notably Mrs. May Mellanby, Janet Lane-Claypon, Ida Smedley, and Harriette Chick in this country—and a whole army of highly talented women in America.

The dental profession in Great Britain has now no less than four hundred registered practitioners who are women, and more and more women are daily being enrolled at the Royal Veterinary College, and following the example of Aleen Cust, the first woman M.R.C.V.S., obtaining the diploma of the Royal College of Veterinary Surgeons.

That humble handmaid of medicine, pharmacy, is being adopted as a profession by a large number of women, and indeed the work of dispensing in doctors' surgeries has passed almost entirely into the hands of women, who obtain their qualifications appropriately enough from the Society of Apothecaries, the Medical Corporation which, as we have seen, has the distinction of admitting the first English woman doctor.

In the realms of pure science the name of one woman stands out and indeed transcends the achievements of most men.

AN INDIAN WOMAN WARRIOR
The Begum Sombre

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Marya, the daughter of Professor Sklodowski, was born at Warsaw in 1867. She went to Paris and studied with Pierre Curie, the famous French physicist, whom she married in 1895. Her husband followed up the investigations of Henri Becquerel who in 1896 had published observations on the radio-activity of uranium. Marya obtained the degree of Doctor of Science and shared in the fullest measure the work of her husband's laboratory. The gifted couple devoted themselves to the fractionation of pitchblende, believing that it contained a substance even more radio-active than uranium. Their hopes were fully realised, and resulted in the discovery of two new elements—polonium and radium.

These discoveries meant world renown for them both, but unfortunately Pierre was knocked down and killed by a dray in the streets of Paris. Madame Curie succeeded him as professor of physics and director of the physical laboratory at the Sorbonne in 1906.

The discovery of the substance which Madame Curie christened radium was destined to revolutionise not only chemistry but ultimately the whole science of physics.

The constitution of this surprising substance proved to be as strange and startling as its powers of emitting rays, for radium was soon shown to be a sort of half-way house between two other substances, uranium and lead. Uranium, by losing some of its rays, becomes radium. Radium continues to emit rays diligently for 2,500 years, and then, having lost all its fire, settles down and becomes a lump of lead!

"Pure radium is used in Medicine to destroy animal tissue, much as caustic was formerly used to destroy, say, warts. And like caustic, radium is found to have a more powerful influence on some tissues than on others. It attacks the skin very readily, the glands, especially the spleen, and the central nervous system. But by far its most vigorous action is seen in its destructive effects on the

growing tissue, such as eggs or embryos; and inasmuch as cancer cells are in the nature of embryonic cells, the application of radium in properly selected cases is found to result in complete annihilation of some cancerous growths."

This discovery may eventually lead to the cure of cancer, and has certainly showed a means of alleviating cancerous conditions. Moreover, Dr. Leonard Williams points out in his fascinating essays, "Minor Medical Mysteries," that "it is at any rate certain that radio-activity is responsible for a large measure of the benefit which so many people—especially rheumatic people—derive from bathing in natural mineral waters and wallowing in natural mineral mud. Inasmuch, however, as the radium emanations from such sources are very evanescent (the evaporation is more rapid where the temperature of the water is high) it is, as a rule, useless to transport the water or the mud. To obtain the maximum benefit they should be employed *sur place.* This does not necessarily apply to waters used for drinking. Where such a water depends upon radium emanations only, with no radium salts in solution, it is useless for transport; but where the water can be shown to hold radium salts in solution, even in very minute quantities, it may be trusted to exert a tonic and stimulating effect upon anyone, especially anyone past middle-age, who takes it perserveringly over long periods. Taken in that way, reinforced, if possible, by an annual visit to a spa possessed of really radio-active waters, radium counteracts the evil humours of the blood and cultivates the benign."

I have emphasized by quotations from Dr. Leonard Williams' book the immense possibilities of the application of radium, and have stressed in earlier pages the services of Florence Nightingale, as I want the world to realize that it is doubtful if all other modern medical and surgical advances put together have saved more lives and suffering than the reform of nursing by one woman and the discovery of radium by another.

CHAPTER IX

IN THE WITNESS BOX

> In theory, at least, all legal and judicial proceedings are determined by the evidence of witnesses, and on that assumption it follows that the witness is the most important of all persons in a court of justice, more important for example, than the Judge, more important even than the advocate.
>
> *Witness Box Truth*, by H. T. WADDY.

WOMEN have always played an important rôle in the gradual development of what we now call evidence, as ancient law has never made them less competent than men as witnesses; but methods of proof were very different in olden times to what they are to-day.

The procedure in the Anglo-Saxon Courts was indeed peculiar. The Court performed its part in determining a point at issue by what was called "awarding the proof," which might take the form of compurgation, ordeal, or witnesses.

Compurgation was originally a term used in the Canon Law and consisted of swearing an oath to the truth or falsity of an issue.

The oath had to be taken in accordance with a fixed formula, and the Court could demand that the oath should be word perfect and usually compelled the party to bring "oath helpers" to support his oath.

These compurgators were not concerned with the facts of the case, but merely testified to their personal belief in the truth of the litigant's oath.

An appeal to the supernatural was regarded as far superior to ordinary testimony, and till the time of Henry II ordeal was regularly resorted to in the English Courts as the best method of proof.

It may be of interest to refer to this method of deciding doubtful questions, as in all parts of the world appeals to magic are still common, and close analogies to the tests I will now proceed to sketch may still be found in various countries.

Ordeal was by fire, water, or the "cursed morsel."

In the two former cases, the innocence or guilt of the accused was proved by the speed with which he recovered from the effects of the test.

Fire Ordeal was only allowed to persons of high rank. The accused had to carry a piece of red-hot iron for some distance in his or her hand, or to walk barefoot and blind-folded over red-hot ploughshares. After the test, the limbs were bound up and inspected three days afterwards; if the accused had escaped unhurt, he or she was pronounced innocent; if otherwise, guilty.

This system offered considerable scope for the conjuring tricks in which the medieval priests were experts; and there can be little doubt that in many trials by ordeal precautions were taken by the clergy to protect those whom they wished to clear from suspicion.

The modern "magician" can easily pretend to wash his hands in molten lead which is really liquid mercury, and can juggle successfully with fire and with heated metals by using various preparations applied to the skin. Such sleight of hand may at once have saved the credit of the ordeal and cleared those meant to be acquitted. It is certainly recorded that Queen Emma, mother of Edward the Confessor, when suspected of a criminal intrigue with Alwyn, Bishop of Winchester, triumphantly vindicated her character by walking unhurt over red-hot ploughshares.

Water Ordeal was the usual mode of trial allowed to the common people, and was of two kinds—the ordeal of *boiling water* and of *cold water*. According to the laws of Athelstan, the ordeal by boiling water consisted of taking a stone out of a basin of boiling water. In the ordinary ordeal the hand had to be inserted as deep as the wrist;

but in what was called the triple ordeal the victim had to plunge in his arm up to the elbow.

The ordeal of cold water was far more extensively employed, and survived until comparatively modern times in trials for witchcraft. The suspected person was flung into a river or pond; if she floated without any appearance of swimming she was judged guilty; while if she sank she was rescued—if possible—and acquitted.

"It has been conjectured that in stories like that of the exposure of the infant Moses on the water we have a reminiscence of an old custom of testing the legitimacy of children by throwing them into the water and leaving them to swim or sink, the infants which swam being accepted as legitimate and those which sank being rejected as bastards. . . . The Biblical narrative of the birth of Moses drops no hint that his legitimacy was doubtful; but when we remember that his father Amram married his paternal aunt, that Moses was the offspring of the marriage, and that later Jewish law condemned all such marriages as incestuous, we may perhaps, without being uncharitable, suspect that in the original form of the story the mother of Moses had a more particular reason for exposing her babe on the water than a general command of Pharaoh to cast all male children of the Hebrews into the river. Be that as it may, it appears that the water ordeal has been resorted to by people far apart for the purpose of deciding whether an infant is legitimate or not, and therefore whether it is to be saved or destroyed. Thus the Celts are said to have submitted the question of the legitimacy of their offspring to the judgment of the Rhine; they threw the infants into the water, and if the babes were bastards the pure and stern river drowned them, but if they were true-born, it graciously bore them up on its surface and wafted them gently ashore to the arms of their trembling mothers."

The ordeal of the "cursed morsel" was carried out with consecrated bread and cheese. If the accused swallowed

a morsel freely he was adjudged innocent, and if it stuck in his throat he was regarded as guilty.

The popular saying amongst our peasantry, "May this bit choke me if I lie," is obviously a survival of this ancient form of proof.

By the reign of Henry II, however, popular belief in the efficacy of an appeal to the judgment of Heaven had grown so weak that a person of bad repute who came "clean" from the ordeal had to leave the country, while the decision of the Lateran Council of 1215, forbidding the clergy to take any part in trial by ordeal, doomed the whole practice to extinction. After this time there was really only one mode of proof in use in both civil and criminal actions, namely the evidence of sworn witnesses, called in the picturesque language of the period "the verdict of the countryside."

So recently as 1916, as will be related in a subsequent chapter, counsel for the defence of the woman who attempted to poison Mr. Lloyd George actually asked the learned judge to resort to ordeal.

The method of proof by sworn testimony was adopted very early in their history by the Jews, as witnesses were well recognised under the Law of Moses.

The Law insisted, moreover, that a single witness in serious trials must be corroborated, as it was laid down: "Whoso killeth any person, the murderer shall be put to death by the mouth of witnesses: but one witness shall not testify against any person *to cause* him to die."

Again, "At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death; *but* at the mouth of one witness he shall not be put to death."

Our Lord himself counselled his disciples if possible to settle personally disputes with a brother. "But if he will not hear *thee, then* take with thee one or two more, that in the mouth of two or three witnesses every word may be established."

St. Paul continued the notion of the need for more than one witness, and in his *Epistle* to the Corinthians wrote:

"In the mouth of two or three witnesses shall every word be established." Again in his first *Epistle* to Timothy he says; "Against an elder receive not an accusation, but before two or three witnesses."

Witnesses were admitted by the Romans, and every person might give testimony unless expressly disqualified.

The persons who were inadmissable as witnesses included "infamous persons," near relatives, and individuals who had a strong enmity against either of the parties to a suit.

In this country we formerly adopted the rules of the Roman law in rejecting as witnesses all persons who had a direct interest in the litigation as the parties to a suit, as well as those who were considered infamous from having been convicted of certain crimes. These and other disqualifications have been removed by recent statutes. Great apprehensions were entertained that these changes might open the door to perjury; but experience has demonstrated that the latitude allowed under the new system, all objections to credit being duly weighed, is, on the whole, highly beneficial, by enabling courts of law to reach the truth in a multitude of cases where the ends of justice were formerly defeated by excluding the testimony of the parties best acquainted with the facts in dispute.

To-day there is no general or codifying Statute laying down what is, and is not, evidence in our English Courts of Law.

Sir James FitzJames Stephen, one of the great body of English lawyers who graduated in the hard school of journalism, was employed in 1872 to draw up a code of evidence for the English Courts, but it was never legally adopted, although a similar code drafted by the same learned judge became the Indian Evidence Act of 1872.

The rules which govern the admission of evidence in our courts are mainly of a negative character, and subject to certain important exceptions they exclude the admission of statements which to lay minds might appear to afford excellent testimony.

Such statements fall into four categories. The first consist of facts similar to, but not specially connected with, the matter at issue. For instance, if a person is being tried for forging a certain individual's signature, the fact that he forged another person's signature on some former occasion is irrelevant. But if there is a question whether an act was done intentionally or accidentally, the fact that such act formed part of a systematic course of conduct would be relevant. For example, if a plaintiff is suing on a policy of fire insurance, the fact that he had sustained fires in other houses insured by him would be relevant to the issue whether the fire was accidental or not.

The second and most important fundamental principle in the law of testimony is the maxim that hearsay is no evidence. This means that statements of persons not called as witnesses can never be used as evidence. Striking exceptions to this rule are, however, afforded by the various rules of convenience which allow of the admission of statements by deceased persons, and statements which amount to admissions. Admissions may be evidence against a party to an action when made in his behalf by any person who has a substantial interest in the event of the proceedings, or who is an agent expressly or impliedly authorised by that party to make such admissions. But admissions made "without prejudice" can under no circumstances be adduced in evidence.

This rule puzzles some women witnesses sorely. Most women are quite unable to understand that what her friend, Mrs. So-and-So said to her about the other party to the suit should not be repeated to judge and jury.

The third great rule is that opinion is not evidence. Generally speaking, a witness can only testify to facts within his, or her, knowledge. But here again there are exceptions as the opinions of experts on medical matters and on points of science or art are admissable in evidence, subject to the judge's decision on their competence as

experts. As a matter of law judges have full power on all technical matters to call in the aid of judicial assessors, but except in Admiralty cases they seldom avail themselves of their statutory powers.

Finally, the fact that any person's character is such as to render conduct imputed to him probable or improbable must never be put forward as evidence, and no reference to previous convictions may usually be given before the verdict except to show a systematic course of conduct or to rebut evidence of good character called by the prisoner.

Before sentence in criminal trials the police are usually called upon to give evidence as to the previous record of the prisoner.

It frequently comes as a shock to members of a jury to find that the handsome delinquent in the dock who has been painted by learned counsel as little short of an angel turns out to be a person "well known to the police," who has already done several long stretches of free board and lodging in one of His Majesty's Convict Prisons.

With reference to evidence as to character, the great Lord Chief Justice Russell, who in his later years was a bit hard of hearing, was listening to a long-winded speech from a prisoner to show that he was an injured innocent. Lord Russell tried hard to follow him, but happening not to catch the last few words, he said, "What was your last sentence?" "Six months' hard, my Lord," was the unexpected reply.

In modern trials practically every person is competent to act as a witness unless the presiding judge decides that he or she is too young to testify.

Children of tender years are frequently called as witnesses and usually cut a very good figure in the courts. Before they can be sworn they must be examined by the judge as to their understanding of the nature of an oath and their belief in a future state.

In an important trial at Assizes a little girl was placed

in the witness box, and the following conversation ensued between her and the learned judge.

"Do you know what an oath is, my child?"

"Yes, sir, I am obliged to tell the truth."

"And if you do always tell the truth where will you go when you die?"

"Up to heaven, sir."

"And what will become of you if you tell lies?"

"I shall go down to the naughty place, sir."

"Are you quite sure of that?"

"Yes, sir, quite sure."

"It is quite clear she knows a lot more than I do," said the judge, "let her be sworn."

This little girl was better instructed than another small witness who was called at Quarter Sessions. This young lady, when asked by the chairman if she knew what an oath was, promptly replied, "Yes, sir."

"Well now, little girl," beamed the chairman, "tell me what it is."

"Oh, but I know a lot of them," was the unexpected reply.

Rather puzzled, the chairman asked, "Will you tell me one, please."

To this question he received the unexpected rejoinder, "you be damned!"

Equally surprising was the reply of another little girl in my native county of Down, in the province of Ulster.

The county is the headquarters of the Loyal Orange Institution and prejudice against the members of the Older Faith runs high.

When little Mary, who was of very tender years, went into the witness box, the Resident Magistrate asked her if she knew where she would go when she died if she didn't tell the truth.

"Yes, sir," she replied.

"Where then, my dear?" he asked.

Mary hesitated a moment, and then blurted out, "Where the bloody Papishes go!"

Formerly, a wife could not be required to give evidence against her husband, but now she can be called as a witness without his consent if he is accused of neglect to maintain her and her family, of rape, indecent assault and certain similar sexual offences under the Criminal Law Amendment Act.

The Married Women's Property Act also makes a woman a competent witness against her husband in various offences touching her property.

Generally speaking, women witnesses cut a good figure in our modern courts. Indeed, it is the general impression of most experienced lawyers that they are better witnesses than men as they do not consider the effect of their answers on the side for which they appear but relate facts freely and frankly. They usually respect the sanctity of an oath or declaration equally with men, and although uneducated women, like uneducated men, are inclined to be confused or voluble, the answers of educated women to the questions of the judge or of Counsel are sometimes models of conciseness and exactitude.

On the other hand, it must be confessed that they will tell lies and stick to them in a manner which often baffles the ingenuity of the ablest cross-examiner.

Women witnesses have, however, one fault; they are apt to lose their temper—a fatal failing in the witness box.

A classical example of what happens to the witness who displays irritation at the questions of counsel is related of the late Lord Carson when he was at the Bar. He asked a beery-looking and truculent witness, "Do you drink?" "That's my business," snapped the lady in reply. "Any other?" asked the great advocate, with a smile towards the jury.

As a matter of fact in cross-examination counsel usually display more consideration towards women than men, and

where counsel is inclined to be hard on a woman witness, he is, as often as not, pulled up by the judge, another example of that chivalry which, as I mention elsewhere, is far from dead in modern men, even when they are wearing the livery of the law.

As a rule, medical men make bad witnesses, and it is not often that a Sir Bernard Spilsbury is found giving medical testimony.

Counsel usually have the best of it in cross-examination of doctors, but sometimes an Irish medico scores, as on the occasion when one of His Majesty's Counsel forced a physician to admit that doctors sometimes made mistakes, but to cover this admission, the doctor added, "So do lawyers." "Ah! but doctors' mistakes are buried six feet under the ground," snapped the K.C. "True for you," parried the Irishman, "and lawyers' mistakes swing six feet in the air!"

Professional women are rarely seen in the courts as expert witnesses, but when they appear their evidence is usually sure and precise. Medical women on the whole seem to be more sparing than male doctors in the use of those technicalities which too often render medical evidence well-nigh unintelligible to the lay jury. Here is an example. I was actually in a case at Sessions where a young surgeon, who ought to have known better, described a man's injuries as a severe contusion of the orbital area, together with considerable extravasation of blood under the epidermis which was slightly abraded. He came in for some caustic comments from the judge when he had to admit under cross-examination that all the man was suffering from was a black eye!

There can be no sort of doubt that many modern women are endowed with "the stern judicial mind, from bias free of every kind."

CHAPTER X

TRIAL BY JURY

Twelve good honest men shall decide in our cause,
And be judges of fact though not judges of laws.

"The Honest Jury."
(*Song published in "The Craftsman."*)
WILLIAM PULTENEY, EARL OF BATH.

IT was for a long time the proud but ill-founded boast of the people of this country that trial by jury is one of our great indigenous legal institutions.

Many writers have seen the origin of the jury in the general statement of the liberty of the subject expressed in a clause of Magna Charta, which declares that no "freeman" —the term in olden days included both sexes—shall be imprisoned or outlawed except by the lawful judgment of his or her equals. But this clause referred to the trial in the old county or shire courts, an institution which has long been generally admitted to have been of a totally different character.

As a matter of fact, this form of inquiry was introduced into England when the Lateran Council abolished the ordeal as a means of ascertaining the truth of a criminal accusation, and the system developed under the influence of the Plantagenet kings and their legal advisers.

The steps by which the jury became judges of fact upon the testimony of other witnesses and not of their own knowledge were very gradual. At first, if a jury did not know all about the case they had to try to find out, and were allowed a fortnight to do so! In the later Plantagenet period, however, the personnel of a jury was afforced, or strengthened, by others who knew the facts. For instance, where the genuineness of a deed was in dispute, the

witnesses to the deed might be summoned together with the jury.

By a process which has not yet been historically traced, the procedure passed from this "afforcing" of the jury to the production by each party to the trial of witnesses sworn to tell the truth and examined and cross-examined. It was not, however, till the end of the fifteenth century that anything like our present system of trial by jury was gradually evolved.

As recently as 1676, the members of a jury were fined and imprisoned for disregarding the ruling of a judge. But soon after it was legally established that a jury cannot lawfully be punished by fine, imprisonment, or otherwise for finding either against the evidence or against direction of the judge.

In the end, but only after a long struggle, the independence of the jury was vindicated; and at the same time the judges were freed from subservience to the Crown.

To-day, a judge can discharge a jury which disagrees, and has power to grant a new trial where a jury brings in a verdict against the weight of evidence.

Cynics may jibe at the system of placing a number of men and women with no knowledge of law and legal procedure in a box and making them the target for the eloquence of experienced advocates, and some have gone so far as to define a jury as a body of persons organised to find out the smartest lawyer. But, by those best qualified to judge, the system is prized not only as one of the chief safeguards of the liberties of the subject but the best mode of trial in criminal and political cases of importance and in civil actions where damages have to be assessed for wrongs which affect the person, family, or reputation of a plaintiff.

Lord Brougham placed the hall mark of his approval on the jury system by declaring that, "He was guilty of no error . . . who once said that . . . the whole machinery of the State, all the apparatus of the System, and

its varied workings, end simply in bringing twelve good men into a box."

Sir Archibald Smith, after he had been five years on the Bench, said that day by day his opinion of juries grew higher. "Sometimes," he said, "I think that the verdict is wrong, and I feel disappointed with it, but I think the case over, and I find on reflection that the jury were quite right."

To quote a well-known legal writer, however, "The system, like the British constitution, is the most delicate piece of machinery, and there is one thing that will throw it out of gear, and that is bad management on the part of the person who has to guide it. A judge ought not, of course, to be a mere figurehead. He must have a mind of his own, but then he ought to respect the mind of the jury . . . but where the judge deals fairly with the jury, assisting but not controlling, influencing but not dictating, putting the issue plainly before them, and clothing what he has to say about the law in plain language, the twelve good men and women will very rarely make a mistake or cause the Court of Appeal to be troubled."

As trial by jury developed in the olden days, persons charged with felony were said to throw themselves on their country if they consented to plead to a jury. But it is a strange fact that persons were not obliged, when charged with a criminal offence, to plead, and when the crime of which they were accused involved forfeiture they did not forfeit their property unless they pleaded. To make them submit to trial, however, they were tortured by being crushed by heavy weights till they either pleaded or died.

A prisoner called Strangeways was executed in this fashion so comparatively recently as 1658, but the practice was not abolished till the latter half of the eighteenth century.

Side by side with Trial by Jury, the amazing system of Trial by Combat, or Wager of Battle, survived into the last

century. It was introduced by the Normans and used in both civil and criminal actions. In civil cases a duel was fought by hired champions, but in criminal cases the parties concerned had to fight it out themselves. The accused were hanged if vanquished but if they killed their accusers or prolonged the fight from sunrise till dark they were acquitted. In 1817 Abraham Thornton was tried for murder and acquitted, but one of the dead man's relatives "appealed" against him and as his defence Thornton challenged his accuser to Wager of Battle. The appellant declined to fight, and Thornton was perforce discharged. This surprising survival in English law was hastily abolished by a special Act of Parliament.

Until recently, juries were of three kinds, grand, special and petty or common juries.

Grand juries were abolished in 1933, following the fate of several other varieties of jury which will be referred to later.

All British men or women between twenty-one and sixty years of age, are now liable to serve as common jurors. Aliens are also liable to serve if they have been domiciled in this country for ten years. All persons above sixty years of age are exempt from jury service.

When a case comes up for trial, the judge may order that the jury shall be composed of men only, or of women only, or he may, on an application by a woman called on to serve, grant her exemption in respect of any case by reason of the nature of the evidence to be given or of the issues for trial.

Where a party to a civil action either in the High Court of Justice or at Assizes desires to have a jury composed only of one sex, an application to this effect should be made by summons served not less than one clear day before the hearing to the judge who is to try the action.

But where application by summons is not practical, counsel may ask for a jury composed only of one sex at the trial itself.

"SERMONS IN STONES."

John Bull *(to Non-militant Suffragist)*. "I COULD LISTEN MORE ATTENTIVELY, MADAM, TO YOUR PLEAS, WERE IT NOT FOR THESE CONCRETE ARGUMENTS WHICH I FIND RATHER DISTRACTING."

[Reproduced by kind permission of the Proprietors of "Punch."

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In this relation the attitude of mind of the late Lord Justice Scrutton as to the value of women as jurors in commercial cases was revealed by his comment in an action which lasted twelve days in the King's Bench Division and a similar period in the Court of Appeal. He said, "There was no woman on the jury, and that was an advantage where heavy business transactions had to be considered."

Common jurors for the High Court and Assizes and Sessions must have a small property qualification amounting to £10 a year in real estate or rent charge, or £20 in leaseholds, for county or borough residents; or assessment in poor rate at not less than £30 a year in Middlesex and the County of London, or £20 in other counties. There is another curious qualification which makes occupiers of a house with not fewer than fifteen windows qualified for service as common jurors.

Special jurors are selected from persons of the so-called better classes, such as bankers, merchants or persons holding considerable property. Special juries are, for the most part, summoned for civil cases, but, by permission of the King's Bench Division of the High Court they may be summoned for the trial of misdemeanours.

Lists of juries are prepared by the Sheriffs of the County and the names of qualified persons are indicated on the Lists of Parliamentary Electors posted in church porches and other public places. A great many women and men holding professional qualifications or public appointments of honour or profit are exempt from jury service, but if a person's name is included in the official list exemption can only be secured by application to the registration officer.

Jurors are entitled to six days' notice of the time at which they are required to attend. If prevented by illness from attendance, a juror must send a medical certificate in good time, and if attendance will seriously interfere with a juror's business engagements he or she may be excused

on application to the Under Sheriff or at the Central Criminal Court by the Clerk of the Court. Failure to appear as a juror may involve a fine of £10 when summoned to the High Court or Assizes, or of £5 when summoned to a County Court.

A special juror is usually allowed a fee of one guinea in respect of each action which he is sworn to try. On the application of Counsel the judge includes the fees in the costs if he thinks the case a proper one to be tried before a special jury, but if he thinks otherwise the party applying for trial by special jury must bear the expense.

Common jurors are paid no fee in criminal trials, but in civil actions are allowed the noble sum of eightpence on circuit and a shilling in other trials for each case!

County court juries consist of only eight members, and are rarely summoned, as it is well known that the learned gentlemen who preside over these courts are not keen on their assistance in the class of cases tried before them.

There were a number of special varieties of jury which existed until quite recent times. One was a jury of Matrons empanelled when a female prisoner in a criminal trial pleaded pregnancy. This has now been replaced by an examination by a qualified medical practitioner.

Juries may be objected to, or, as the legal term goes, "challenged," and either party to an action may exercise this right, which is of two kinds. A person may object to the whole number of jurors on the panel on account of some reason alleged against the sheriff who summoned them, or he may challenge some particular juryman, or jurymen, usually on the ground that he is, or they are, likely to be biased.

There are many good stories told regarding the exercise of this right. On one occasion an Irishman challenged a woman juror, whereupon the good lady shouted to him, "Bedad, Barney, and for why do you not want me? Shure, I'm for yez!"

On another occasion a defendant objected to a highly respectable milliner of the town. Of course he did not state his reasons at the time but he confided them to his counsel later on, saying that "Mrs. Reilly was one of those damned ould cats who would be influenced by the evidence."

Every jury panel must now include women in the same proportion as they hold in the local list of persons qualified to be jurors, but husband and wife must not be included on the same panel.

Women jurors have come in for a great deal of criticism, and I can well remember that their advent was looked on with little favour when I was practising at the Old Bailey.

Counsel even resented being obliged to abandon the time honoured phrase, "Gentlemen of the Jury," which filled up many a gap in a halting speech, as, to the old stagers at any rate, "Members of the Jury" did not seem half so effective.

Even judges looked upon the innovation with little favour. I have quoted above an opinion of Lord Justice Scrutton which indicates what was the general attitude of mind.

A good story was current, however, which told in their favour.

When one of the first juries with women members was empanelled, a prisoner asked the judge if he had to be tried by a jury with so many women members.

The Judge informed him that unless he could successfully challenge the lady jurors the trial must proceed.

"My Lord," said the prisoner, "I've never been able to fool my old missus, let alone five strange women. My Lord, I plead guilty."

Women jurors are now accepted as a matter of course by judges and learned counsel, but it is still a big event in most women's lives when they find themselves in the jury box for the first time.

One thing worth remembering is that a woman need not be afraid to speak her mind, as a juror is not accountable

for, nor will any action lie against her, in respect of anything she says or does in the discharge of her duty.

She may, however, have great difficulty in making up her mind, but when she does nothing will shift her.

One lady who was the sole woman member of a jury told a friend that she had never met eleven such obstinate men in her life as they would not agree with her, so that the jury was discharged.

Seriously speaking, however, one may ask if Lord Brougham and the other learned lawyers and writers I have quoted would be likely to modify their opinion to-day when no longer "twelve good men" but a mere half dozen or so with a varying number of women are "put into a box?"

I think not.

Women have shown their ability to follow the evidence in the most intricate trials, and have materially assisted the male members of many a jury to come to a just and equitable verdict.

A curious question of dress has arisen with regard to women jurors.

St. Paul's enquiry of the Corinthians "is it comely that a woman pray unto God uncovered?" seems to affect judges as well as parsons.

Some judges insist that a woman juror should wear her hat in the jury box.

It is difficult to understand any justification for this ruling, and recently at the Central Criminal Court the Common Serjeant allowed a woman to remove her hat as men do.

In his summing-up in the Pepper Case at the Old Bailey in February 1936, Mr. Justice Atkinson is reported to have said: "The wisdom of the law requires in all criminal proceedings twelve independent non-legal people to pronounce a person guilty, and it is a very wise thing.

"I don't think people appreciate what an accumulated amount of worldly experience is vested in a jury of twelve people."

CHAPTER XI

IN THE POLICE COURT

> From all rash censure be the mind kept free;
> He only judges right, who weighs, compares,
> And, in the sternest sentence which his voice
> Pronounces, ne'er abandons charity.
>
> WORDSWORTH.

THE Courts of Law of this country have a romantic history.

They have gradually evolved into a series of tribunals with gradually increasing powers over the lives and the liberties of His Majesty's subjects.

At the bottom of the scale stand what are popularly called the Police Courts, but are officially known as Courts of Petty Sessions, usually presided over by two or more members of the Great Unpaid Magistracy of this country who are referred to in some detail in Chapter II. These Courts are indeed the peculiar province of the Justices of the Peace, and exist for the disposal of minor offences reported by the police, but have other important functions such as the preliminary investigations and admissions to bail of persons accused of felonies, and the hearing of informations and complaints.

In London and certain boroughs the local magistrates are ousted from their little kingdoms and replaced by paid civil servants called stipendiary magistrates. These gentlemen are barristers of at least seven years' standing, and are appointed by the Home Secretary.

They have all the powers of two or more magistrates, and their appointment in London early in the last century has not only conferred great benefits on public order in the Metropolis but also on the poor people who frequent

their Courts. Instead of a changing bench of Magistrates, the people of the neighbourhood find the same kind friend presiding over the Court for years. They come to him with all their troubles, and are always sure of a courteous reception and good advice. Even when they have got into trouble with the police they are usually treated like naughty children, and when a deserving case comes along even financial help is available, as in such cases a Poor Box exists which is administered by the Magistrate.

Of course a great deal of the time in these Courts is taken up by "drunks" and disorderly conduct, but they also exercise jurisdiction over a great deal of other matters of much importance to women. For instance, any Police Court or Court of Petty Sessions can grant a judicial separation between husband and wife.

The grounds for granting such an application are wide and varied.

They include summary conviction, that is, conviction by a bench of magistrates, of the husband for an aggravated assault on his wife.

Aggravated assaults are defined in offences against the Persons Act, 1861, and include assaults on women and children, but in cases of this nature signify attacks by the husband on his wife with intent to cause grievous bodily harm or actually causing severe injury.

This class of case often tests the patience of the magistrate to the utmost, as the women often relent when they come into court and refuse to give evidence against the offender.

In a recent case in which the husband had injured his wife severely, nothing could be dragged out of the plaintiff in the way of evidence against her brute of a husband. At last she said, "Your Worship, I won't make any complaint. I'll leave it to the Almighty to punish him." "Oh!" said the magistrate, "you can't do that, the case is much too serious!"

The conviction of a husband on indictment for assault on his wife if followed by a sentence of a fine of more

than £5 or to imprisonment exceeding two months entitles her to a Separation Order.

Apart from actual assaults, various Statutes authorise justices to grant separations for persistent cruelty on the part of the husband to either his wife or their children.

Wilful neglect to provide maintenance for his wife or infant children is also sufficient grounds for the Court to make an order.

Generally speaking, the courts are not concerned with the more intimate relations between man and wife, although it is abundantly evident that unreasonably frequent cohabitation is often at the bottom of a great deal of unhappiness.

The insistence of the husband on intercourse when he knows himself to be suffering from venereal disease is, however, grounds for granting a separation.

In a later Chapter, I deal with the abominable creatures who live on the earnings of women of the pavement.

There are, unfortunately, husbands who compel their wives to act as prostitutes, and the law authorizes magistrates to grant separation to such ill-used women.

There are also husbands who through drink or drugs become at times not only incapable of managing their affairs but actually dangerous to those about them. A recent Act of Parliament authorizes Petty Sessions by Order to separate such men from their unhappy wives.

Magistrates may also make Separation Orders for desertion, which is interpreted by Petty Sessional Courts in the same way as in the High Court, but magistrates are not hampered by any set period of absence.

The Petty Sessions are a great boon to injured wives of the poorer classes, as they can put an end to the "rights" of a husband over his wife's body, and can give her charge of her children under sixteen whose young lives might be injured and embittered by contact with a brutal father.

These Courts act quickly and cheaply, but their financial powers are very limited.

The most they can allow the separated wife is £2 a week with ten shillings for each child under sixteen.

Obviously Magistrates' Separation Orders are of no use to the better class of wife who must seek remedies in the High Court.

Another class of cases of interest to women are what are called applications for Bastardy Orders.

The law preserves the old English word "bastard" to describe a child born out of wedlock, which is referred to in polite language as an illegitimate, natural or love child.

The harsh treatment of bastards in this and other countries is due to the "charity" of the Christian Church. The canon law made a child born out of wedlock a *filius nullius*, or nobody's child.

He or she had no civic rights, could not inherit property and had no claim to any name except the mother's.

This man-made law, if there ever was one, condemned the offspring of Christian parents to a life of undeserved shame and misery and placed every obstacle in the way of the child growing up as a normal self-respecting citizen of a Christian state.

The father went scot-free and the mother had, for her own sake, to pay some one to look after a child which she could not, with social impunity, acknowledge as her own.

Even the subsequent marriage of the parents did not make the child legitimate by canon law, but the State has been kinder than the Church, and by the Legitimacy Act of 1926 the marriage of the parents of an illegitimate person renders him, or her, legitimate.

But there is an awkward provision which provides that the parents must have been free to marry when the child was born, a condition which imposes illegitimacy most unfairly on a child when one of its parents was already married at the time of its birth.

Of recent years applications for Bastardy Orders are very much fewer than they used to be. My friends at the

Bar do not attribute this to improved morals but to the spread of the knowledge of contraception amongst the girls of to-day.

The right to apply for these Orders is not confined to unmarried women.

The law extends the category of single women to include widows, divorced women, and women either judicially separated from, or living apart from, their husbands.

A putative father is protected against fraudulent actions of this kind as the unsupported evidence of the mother will not suffice.

The evidence she gives must be corroborated so as to leave the question of parentage of the child beyond reasonable doubt.

The association of the woman with the alleged father so as to provide opportunities for cohabitation is not sufficient. Evidence must be laid before the Bench to show that the defendant was with the woman at a time and place which would admit of the alleged intimacy, or that he was having sexual intercourse with the woman at the time when she became pregnant, or that he had admitted that the child was his.

The payment of any sums for the maintenance of the child by the putative father would, moreover, also be regarded by the Bench as corroboration of the mother's evidence.

A Petty Sessional Court may make an order compelling the father to pay the mother a weekly sum not exceeding a pound a week for the maintenance of the child till it is sixteen years old, and, if the application is made within two months of the birth of the child, this weekly sum may be calculated from birth.

The Justices may, or may not, limit the duration of the Order until the marriage of the mother.

The presence of women on the bench is often of great assistance in dealing with this unhappy class of case.

On the whole, the Court leans in favour of the mother, but the defendant may himself give evidence, call witnesses in support of his case or to show that another person was intimate with her when she became pregnant, and might have been the father of the child.

The London Police Courts have frequently to deal with confidence tricksters whose offences come under the legal category of obtaining money or goods by false pretences.

Women are often employed as decoys by these gentry, and not infrequently they play the principal rôle in time-worn dodges, which are still employed with great success by metropolitan tricksters, to relieve the unwary visitor from the provinces of his spare cash and jewellery.

In carrying out confidence tricks, women are aided by the natural influence they exercise over most men.

Indeed, sex appeal is the great weapon of the woman criminal, and she uses it ruthlessly to obtain her ends.

Great captains of industry who would be very sceptical in dealing with other men, have been known to fall readily into the traps of women tricksters.

Chivalry is by no means dead, and hard-headed heads of commercial houses often show a deference to women which is sometimes sadly misplaced.

They are afraid to appear harsh and inconsiderate in their dealings with women, and inclined to overlook short-comings of female employees, especially if they happen to be good-looking!

Beauty undoubtedly makes a greater appeal than brains to the average man, and, indeed it seems that the sensual attractions of unworthy women often act as anaesthetics to the common sense of confiding men.

The curious thing is that it is not the callow youth but the older and experienced male who seems to fall most readily into the toils of the female trickster.

Even such usually astute men as solicitors sometimes succumb to the wiles of women sharpers.

This is the sort of thing that happens. A very pretty girl, beautifully dressed, calls at the office of a West End solicitor. She carefully selects a one-man concern run by an elderly practitioner with a limited clientèle.

She sends in a card bearing a very Irish name and is shown into the sanctum of the man of law.

In a charming brogue, she explains that a man in Belfast owes her twenty pounds.

She has asked for her money several times and now thinks if he had a solicitor's letter he would probably pay up.

The solicitor takes particulars, and after detaining his charming client as long as he dares asks her to call again.

She does so, and her lawyer is able to tell her that as the result of his letter he has received a money order for the amount of the debt.

The lady is profuse in her thanks and asks her legal adviser if he can give her cash for the money order.

He is only too happy to oblige, and his client requests him to accept two guineas for the clever way he has dealt with her case.

He knows he has no right to such a large fee, but with professed reluctance accepts some of his own money back, only to spend it in entertaining his generous client to lunch!

Later on when he tries to cash the money order he finds that a two has been altered into twenty, so that the fair trickster has netted eighteen sovereigns on a very simple deal.

"Bilking" of innkeepers, as all hotel proprietors are legally designated, is a practice which often brings women into petty sessions docks.

There is a popular impression that if a person goes into a hotel or restaurant and orders a meal well knowing that he or she has not the means to pay for it, the offender can go away scot free. This is only a half truth. Unless the person suggested that he or she was able to pay for it, there can be no conviction for obtaining goods by false

pretences, but the person is liable to be convicted of obtaining credit by fraud.

This rather contemptible crime, obtaining credit by fraud, seems to have a fascination for some women.

Here is a recent case.

A pretty, well-dressed woman, happily married, was brought up at a metropolitan police court for obtaining cakes, sweets and flowers from various tradespeople without the slightest intention of paying for them. In fact, she had on several occasions given a false address.

The only defence which could be put forward for her actions was that she possessed a dual personality!

She neither smoked nor drank, had an almost luxurious home, and her husband provided her with plenty of money.

Her husband testified to her good qualities and was only able to surmise that she was a sort of feminine Dr. Jekyll and Mr. Hyde.

The woman herself pleaded guilty, saying that "Punishment will not help me. What I need is a cure."

The magistrate decided that the only cure which the law provided was six months' imprisonment with hard labour.

Cases of this kind are of course not actual theft, which is legally described as larceny.

This crime is committed when "a person without the consent of the owner fraudulently and without a claim of right made in good faith takes and carries away anything capable of being stolen with the intent at the time of such taking permanently to deprive the owner thereof."

Some women, like some men, have curious notions as to *meum* and *tuum*, and fail to realise that there is such a thing as larceny by finding. A person, who, for instance, picks up a parcel or a garment left in a bus and takes it home without making any attempt to discover the owner, has been guilty of theft just as much as if she deliberately picked up the article and walked off with it when its owner was not looking.

Ignorance of the fact that "finding" must not be "keeping" of other people's property often gets women into trouble with the police.

There is one particular form of larceny which is almost exclusively practised by women.

It consists in the stealing by various devices a great variety of articles from shop counters. The thieves gain access to the premises as ordinary customers, and whilst the assistant's attention is occupied slip the stolen articles into bags or under coats or other garments.

This contemptible practice was known as far back as the later years of the seventeenth century, but it has developed with the modern growth of stores with great displays of wares on huge—*apparently* ill-guarded—counters.

This type of petty crime seems to be largely induced by a condition called kleptomania—a form of emotional insanity in which the mind is often clear and cogent, the morals pure, and a propensity to steal is the only proof of abnormality. There is evidence in favour of the opinion that in certain persons there is an obsession to steal which becomes so irresistible, and the will so impotent, that the act of larceny is involuntary and the perpetrator of the crime is not responsible for her actions.

There are some who say that what is styled petty larceny in the case of the factory worker with the shawl round her head becomes kleptomania in the case of the lady in the fur coat.

The question is being asked, "Is kleptomania criminal of psychological—or both?"

As recently announced in *The Daily Mail*, the problem is being investigated by a voluntary self-appointed committee of medical psychologists, lawyers and magistrates.

Much information has been collected, and when the committee's work is complete it is stated that a report is to be sent to the Home Office.

One thing is certain, that this despicable crime is on the increase, and that magistrates in all large towns complain

of the "appalling stream" of shop-lifting cases coming before them.

It has been discovered by criminologists who have studied the subject that the great majority of cases of shop-lifting take place in the early autumn, while winter takes second place. There are fewer cases in the spring and summer. The reason for this seems pretty obvious as in cold weather these petty thieves wear wraps or coats under which it is easy to secrete small articles, but it has been solemnly suggested that the weather may have a psychological, or other, influence upon women predisposed to criminal habits!

This, however, is a matter upon which the committee's report may throw some light.

Another interesting finding, gained from the statistics of the last few years, is that the women who commit this offence belong to the classes of society where resistance to the temptation to steal should be easy, as they could conveniently pay for the things they "lift."

In seven-tenths of the cases the women were married, and in almost all of them the persons charged had no previous convictions.

In a number of instances the offenders had stolen articles for which they could have little, if any, use. For example, elderly and wealthy spinsters have been known to steal men's underclothing and trumpery trinkets of little value, whilst in other cases women of good position have stolen trashy lingerie which they would certainly never wear.

The practice is just as common in foreign countries as in our own, and has grown to such magnitude in France and elsewhere that it is being investigated by students of criminology in various parts of the world.

CHAPTER XII

SESSIONS, PUBS AND CLUBS

Where Justice reigns, 'tis freedom to obey.
JAMES MONTGOMERY.

BESIDES forming Courts of petty sessions, Justices of the Peace for a county constitute important Courts known as the General or Quarter Sessions for their County; but borough magistrates do not constitute similar courts for their town.

Courts of Quarter Sessions are courts of first instance and of appeal. Two or more justices form a quorum with a chairman who decides questions of evidence and sums up to the jury, although all the justices are in reality judges.

Though Quarter Sessions can impose very heavy sentences, the Chairman of Quarter Sessions is not usually a lawyer. It is different with borough quarter sessions which are presided over by a Recorder, who must be a barrister of at least five years' standing and who is appointed by the Home Secretary.

The Recorder is the sole judge of the sessions, and the mayor and other magistrates of the borough have no judicial authority in the Recorder's court except that if the Recorder, or his deputy, be absent they can open and adjourn the Court and respite recognisances.

But a Recorder cannot grant licences or be an official in licensing matters.

The Court of Quarter Sessions of the County of London is presided over by a Chairman and Deputy Chairman, both of whom are paid officers appointed by the Crown on the petition of the County Council. They hold office during good behaviour.

The London Sessions, as this Court is usually called, are regulated by a scheme drafted by the L.C.C. and

approved by a Secretary of State, and held at frequent intervals.

In other counties, the Chairman of County Quarter Sessions is unpaid, and the Middlesex County Council has been obliged to promote a Bill in Parliament in order to be able to pay the Chairman and Deputy Chairman of Middlesex County Sessions.

On the contrary, a Recorder is a paid official; his remuneration being fixed by a resolution of the Borough Council.

There appears to be no reason why a woman should not be appointed a recorder, but hitherto no such appointment has been made.

The original jurisdiction of a Court of Quarter Session is both criminal and civil, and when Justices at petty sessions commit a prisoner he must, by the Assizes Relief Act, be tried at Quarter Sessions and not at Assizes, unless the justices—or a judge in chambers—make an order to the contrary.

Women criminals consider this rather a hardship, as they object to being tried by a mere chairman instead of a Judge in scarlet and ermine. One experienced lady has been known to remark, "They might have sent me afore a real judge instead of a blooming amashoor!"

It is only in offences committed *by* women that this objection can arise and the like, and serious offences *against* women such as bigamy, abduction, concealment of the birth of a child and offences under the Criminal Law Amendment Act must be tried at Assizes.

The original powers of Justices to license ale-houses referred to above is not the least of the important duties in which the woman magistrate of to-day plays an important part. Ever since the days of the last of the Tudors, the English Parliament has regarded with some anxiety the sale of intoxicating liquors, and in 1604 James I, in a Privy Council letter, pointed out that, "By the law and statutes

A Famous Indian Woman Ruler

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of this our realm, the keeping of ale-houses and victualling-houses is none of those trades which it is free and lawful for any subject to set up and exercise, but inhibited to all save such as are thereto licensed." The result has been that during the past four centuries some four hundred Acts of Parliament have been passed dealing with the subject.

In other words, our Legislature has found it necessary to devote part of its time almost annually to enact some sort of measure affecting what is universally known as "The Trade."

There can be no sort of doubt that "as there is no smoke without fire," there was need for all this attention to the activities of one particular industry.

In the eighteenth century, England was a land of drink. All classes drank more intoxicating liquor than was good for them. They began to drink hard about the year 1730 and they kept it up for more than a hundred years with great spirit and lamentable results.

"The clergy, grave and sober merchants, lawyers, judges, the most responsible people, drank freely; men about town, officers, Templars, tradesmen drank more than freely; the lowest classes spent all their money in drink, especially in gin, upon which they could get drunk for twopence. In the year 1736 there were 7,044 gin-shops in London—one house in six—and 3,200 alehouses where gin was secretly sold. The people all went mad after gin."

"In the evening every man had his club or coffee-house. We know that Dr. Johnson was unhappy unless he had a club for the evening. There were clubs for every class," and the consumption of liquor was tremendous.

Beer drinking, which was a pretty innocent amusement, gave way to the use of spirits and wine.

Punch was consumed in mighty libations, and port was drunk not by the glass but by the bottle.

Blackstone is said to have written the best of the famous Commentaries when he reached his sixth bottle of port,

and even as recently as our own time we have the Victorian Poet Laureate writing the playful lines:

O plump head-waiter at The Cock,
To which I most resort,
How goes the time? 'Tis five o'clock
Go fetch a pint of port:
But let it not be such as that
You set before chance comers,
But such whose father grape grew fat
On Lusitanian summers.

Apparently, instead of the simple cup of tea which most modern writers like about five o'clock, the immortal Alfred loved to drink—not to share—his pint of port. How many nowadays would think of even a glass of this delectable beverage at this hour?

It is true that the recent craze for cocktails, which have mostly a basis of gin, was a reversion to the eighteenth century craze for that somewhat crude form of alcohol, but that fashion, too, appears to be passing and on the whole we live in a very sober age.

The term "excise" means any toll or tax, but has come to be applied to duty charged on home goods either in the process of manufacture or in process of sale to home consumers.

A Government department grew up to collect this duty which has now been merged in the Department of Inland Revenue.

To-day the control of the sale of what is euphoniously called "drink" is entirely in the hands of the Justices of the Peace of the neighbourhood, as, speaking generally, there can be no sale of intoxicating liquor except by the holder of a licence granted by an officer of the Government Department of Inland Revenue.

Before an Excise licence for sale by retail can be granted, the applicant must, as a rule, have obtained a justice's licence authorizing him to hold the particular Excise licence he requires.

Justices' licences are therefore in reality certificates to

enable excise licences to be issued. They are granted and renewed at a Special Sessions called the General Annual Licensing Meeting which must be held within the first fourteen days of February.

Unless granted for a special term, Justices' Licences are in force for twelve months from the 5th of April in each year.

The powers of the Licensing Justices to grant licences as they deem proper are absolute, and the High Court will not interfere with their discretion.

Certain places and certain individuals are outside their jurisdiction. For instance, it is not generally known that the University of Oxford had the right to license 10r life three vintners to sell wine in Oxford, a privilege which only passed to the Corporation of the City in 1890.

The University of Cambridge has still the right to license four vintners, but the licence is restricted to the sale of wine and not ale or other beverages.

The Mayor and Burgesses of St. Albans have also the right under ancient charters to grant licences for three wine taverns; the resulting income goes to the support of the local grammar school.

The individuals who do not require Justices' Licences are Freemen of the Worshipful Company of Vintners, *by apprenticeship or patrimony*, who have the right not only to sell wine within the City of London and three miles around it, but also in all cities and "port towns" of England, and on the roads between London and Dover and London and Berwick "where any of the company inhabit, and to keep taverns and sell wines by wholesale or retail."

Theatres, passenger vessels, railway restaurant cars, and naval and military canteens are also able to obtain licences direct from the Excise without the intervention of Licensing Justices.

But if these few bodies are exempt, a very important group of institutions come under the authority of Justices, namely clubs.

Clubs, as we now understand them, only originated early in the last century and are difficult to define as it is sometimes hard to say where the club proper ends and the mere drinking saloon commences.

Clubs where liquor is sold to members do not require licences but must be registered by the clerk to the justices. Regulations are made for their conduct, and returns of membership and other particulars must be submitted yearly. Clubs may be struck off the register if not conducted in accordance with the law.

Within recent years many night clubs of mixed membership have been established, where dancing and other entertainments are carried on.

Some of these institutions have been serious offenders against the licensing laws, and the late Mrs. Meyrick and other famous organisers of these resorts have brought women into court very often in relation to such offences.

There are now a great many clubs for women which are models of good management, and very few of the best men's clubs now exclude women from enjoying in some measure the amenities of dining and drinking with their men friends.

The innovation was bitterly resented, and at a General Meeting of one of the premier Service clubs one crusty old general made a strong appeal against such a retrograde step.

Subsequent speeches were strongly in favour of admitting ladies, and, seeing the case going against him, the old gentleman rose to his feet, very red in the face, and said: "Gentlemen, I appeal to you not to grant this concession. Damn it all, the only place in London where I can get away from my wife is The '——', and if you pass this blasted resolution the woman will be able to follow me here!"

The resolution was passed, of course, and curiously enough this ancient Service club has been managed with the greatest success by a lady for some years past.

So women have demonstrated their administrative ability not merely in Courts but in Clubs.

CHAPTER XIII

CONTRACTS

Contracts are easy to make and hard to break.
SPANISH PROVERB.

Marriage is nothing but a civil contract.
JOHN SELDEN (1584–1654).

IT is almost forgotten nowadays that right to the beginning of the last century our laws against debtors were almost—if not quite—as severe as those against criminals. Both men and women were detained in prison indefinitely for debt. The cause of honest but unfortunate victims of such barbarous legislation was taken up by philanthropic societies and one of these organisations, The Thatched House Society, secured the release of no fewer than thirteen thousand debtors at an average cost of forty-five shillings a head!

To-day a woman no longer goes to prison for debt, but for not obeying an order of a Court to pay a debt if she has the means of doing so.

The debtor is sent to prison not for her debt but for contempt of court.

A large number of single women have gone to prison annually as a result of Committal Orders made by County Court judges on the result of judgment summonses. In the future married women will be liable to go to prison in the same way.

A good deal of Press agitation is now going on against this form of imprisonment as it is suggested that although imprisonment for debt was abolished by the Debtors' Act in 1869 it is still, in fact, kept alive by the section of the Statute which enacts that any Court may commit to

prison for a term not exceeding six weeks, or until payment of the sum due, any person who makes default in payment of any debt or instalment of any debt due from her in pursuance of any order or judgment of any competent Court.

Apart from actions in relation to debt, women find their way into the courts chiefly in relation to questions of contract and of crime.

Women frequently fail to realize that any definite bargain which they make of their own free will and accord with another person, or other persons, can usually be enforced in a Court of Law and is legally regarded as a contract.

Few women bother their heads to inquire what they are doing from the point of the law when they pay money into a bank, give the butcher a cheque for his monthly account, buy a theatre ticket, or lend a girl friend a bicycle or even a few shillings.

Yet in all these little daily transactions personal rights and obligations have been created, and, when looked at with the legal eye, it will be found that an agreement in some form or other underlies each and every one of them, and that fundamentally the rules governing them are based on the same legal conceptions as the rules governing contracts made by the most formal documents.

Under our modern social system there is a general law of contract which governs the simplest business relations between not only the individual and tradespeople but between the flapper and her friends.

This was not always the case, and in the days when social conditions were simpler than they are in our modern life, the law merely provided certain writs by which a person could obtain redress for what we would now regard as a breach of contract.

If in any particular case no writ could be found to fit the circumstances the aggrieved person had no legal remedy.

So if Dame Robinson lent her spinning wheel to Dame Jones in the next street, and the Welsh lady, true to the old adage, "Taffy was a Welshman, Taffy was a thief," did not return it, Dame Robinson could obtain return of her spinning wheel only by issuing a writ of Detinue.

This legal process was based on the idea not that the Welsh lady had agreed to return the spinning wheel but simply that she was unlawfully detaining Dame Robinson's property.

By a long and elaborate process the clumsy method of the older courts developed into our modern law of contract.

Nowadays contracts are of two kinds, contracts by deed and simple contracts.

It is not necessary to say much regarding contracts by deed as the lay mind fully realizes they are promises which can be legally enforced, but it is a curious fact that the popular notion that a deed must be "*signed*, sealed and delivered" has only been law since 1925.

Prior to that year, although all deeds were as a matter of actual practice always signed by the parties executing them, this was not technically necessary.

The mere sealing and delivering was sufficient; a fact which doubtless takes us back to the times when even Kings and Queens of England were unable to write, and, as we have seen, the Sovereign had to signify his acceptance of such a high official as a Sheriff by pricking his name with a bodkin.

The great bulk of contracts are legally described as "simple," but this word covers a multitude of things which are far from simple. Parties may enter into simple contracts in writing, by word of mouth or by implication of conduct or implication of law.

A portion of the law of contract which women often fail to grasp is the doctrine of consideration.

A person's word is not her bond in the eyes of the law.

To make a promise which is not embodied in a deed legally binding, it must be made for "valuable consideration" which has been defined as some right interest, profit or benefit accruing to one party to the contract or in some forbearance, detriment, loss or responsibility, given, taken or suffered by the other.

In every contract there must be a definite offer which must be distinguished from a mere declaration of intention.

An offer is intended to be accepted, whereas a declaration of intention is not so intended and cannot therefore be the basis of a contract.

For instance, if a prospective father-in-law wrote to a lady's son saying, "My daughter will have a share of what I leave after the death of her mother." This is merely a declaration of intention and cannot be enforced.

In addition to an offer, there must be a definite acceptance by word or deed. Verbal acceptance may either be by word of mouth or by letter. In the case of acceptance by letter, the law is somewhat curious as once the letter is posted the bargain is complete even if the letter never reaches the offeror. An acceptance, however, may be signified by acting on the offer; for instance if a man in this country writes to a lady resident abroad saying: "If you will come to England, I will marry you." If she comes, her action is a legal acceptance of an offer of marriage, and if the prospective husband fails to carry out his part of the bargain an action for breach of promise will "lie," as the legal phrase goes.

Unless the parties to an agreement *intend* to create a legally enforceable contract in any transaction between them, however, it is not binding and cannot be enforced in the courts.

For instance, if a husband promises to make his wife an allowance of £100 a year, this is merely a domestic arrangement and his wife cannot sue him if he discontinues payment. Similarly, social engagements are not binding as

legal contracts, and if the Mayor of a town invites Mr. and Mrs. Snooks to a banquet to meet Royalty and Mr. Snooks provides himself with court dress and Mrs. Snooks gets a Paris gown for the occasion but the function is cancelled, the law provides no redress for the disappointed Snooks family.

By the old Common Law a married woman became identified with her husband and was incapable personally of holding or acquiring property and could not make contracts.

But by the Married Women's Property Acts a married woman is now fully competent to contract as a *feme sole*, the old Norman French term, beloved of lawyers, which signifies a single woman.

Up till August, 1935, if a married woman was sued on a contract and judgment went against her, the judgment was given only against her property and not against her personally, it bound only her property and not herself.

But since the Law Reform (Married Women and Tortfeasors Act, 1935), a married woman can be committed to prison for non-compliance with an order made under the Debtors' Act and she can be made a bankrupt in the ordinary way.

Marriage itself is a contract but notwithstanding the statement made by John Selden, early in the Seventeenth Century, which I have placed at the head of this chapter, it was not till the middle of the last century that it was regarded as a civil and not as a religious contract.

Prior to 1857 marriage contracts could only be dealt with by the Ecclesiastical Courts presided over by a President.

Let me start by a quotation from Montaigne:

"We have thought to tie the nuptial knot of our marriage more fast and firm by taking away all means of dissolving it; but the knot of will and affection is so much the more slackened and made loose by how much that constraint

is drawn closer; and, on the contrary, that which kept the marriages at Rome so long in honour and inviolate was the liberty everyone who desired it had to break them."

In this country up till 1857, there was assuredly one law for the rich and another for the poor in the matter of dissolving the marriage tie. A rich man could always obtain a divorce by promoting a private Bill in Parliament, but his poorer neighbour had to put up with his marital incubus.

The late Mr. Justice Maule with characteristic humour summed the position up in sentencing an unfortunate man who was charged with bigamy. The poor fellow's wife had gone off with a hawker; he had not seen her for five years and he had married again. This is how the Judge addressed him,

"Prisoner at the Bar, I will tell you what you ought to have done, and if you say you did not know, I must tell you that the Law conclusively presumes that you did. You ought to have instructed your attorney to bring an action against the hawker for criminal conversation with your wife. That would have cost you about £100. When you have recovered substantial damages against the hawker, you would have instructed your proctor to sue in the ecclesiastical courts for a divorce *a mensa atque thoro*. That would have cost you £200 or £300 more. When you had obtained a divorce *a mensa atque thoro*, you would have had to appear by counsel before the House of Lords for a divorce *a vinculo matrimonii*. The Bill might have been opposed in all its stages in both Houses of Parliament, and altogether you would have had to spend about £1,000 or £1,200. You will probably tell me that you never had 1,000 farthings of your own in the world, but, prisoner, that makes no difference. Sitting here as a British judge, it is my duty to tell you that this is not a country in which there is one law for the rich and another for the poor."

This legal sarcasm did much to focus public attention on a system which made divorce a luxury of the rich, but the advocates of reform have been faced with determined and consistent opposition by a section of the State Church.

The Anglo-Catholics clung, and still cling, to the doctrine of ecclesiastical jurisdiction in matrimonial matters, which has always been disliked by the English people, and it has been well said that the conflict between the Protestants and so-called Catholics of the Church of England is as bitter and real to-day as the old hostility between the earlier Protestants and the Roman Catholics.

The Anglo-Catholics range themselves with the Church of Rome in regarding marriage celebrated in Church as a sacrament and indissoluble by the act of man.

They read into the words "those whom God has joined together let no man put asunder" too literal a meaning, and forget that human nature is frail and fallible.

To compel two people who have ceased to love one another to live together is an insult to intelligent humanity, and results in an immense amount of real immorality.

Marriage is a civil contract as pointed out by Selden three centuries ago and should be so regarded.

That experienced magistrate, Cecil Chapman, thinks that it should be obligatory in this country as in France and Italy to make the contract before a State official.

The picturesque ceremony in church should be merely an ornamental addition for those who desire it.

In reform of the Divorce law every inch of the ground has been fought in this country, and we have at last got the Judges at Assizes empowered to grant divorces; a tardy reform, for the Judges at Assizes are the same justices as those who sit in the Strand. This innovation has been a great boon to persons in the provinces as it removed the necessity for instituting proceedings in London.

Another belated act of justice is to place women in the

same position as men with regard to the qualification for divorce.

The Entwhistle Act, which gave this concession, abolished the necessity in the case of a wife of petitioning in the first instance for the restitution of conjugal rights, a preliminary which involved a clumsy fiction. In 1926, an Act wa passed to make unlawful the publication in the Press of particulars of divorce cases other than the names, addresses and occupations of parties and witnesses; concise statements of charges; points of law; and the judge's summing up. The effect of this Act has been to remove from the columns of certain newspapers details of domestic unhappiness which are of no real interest to anyone except the unfortunate individuals concerned. In addition, cheaper and more convenient methods of obtaining divorce in undefended cases have been devised, and special provision has been made for those who petition as poor persons.

The next step in the way of reform seems to be the adoption of the suggestion that magistrates who have now jurisdiction to grant separations and are thereby experienced in family disputes should have the power to grant divorces.

The only objection to this can be that England might lose her reputation for fewer divorces per thousand of her population than other countries.

But surely this reputation is utterly worthless, as we have nearly a quarter of a million people in this country separated by law or legal agreement.

These persons are as good as divorced, and have a moral right to be actually divorced if they wished it.

Can anyone point to any real social advantage which we enjoy in this country over other lands where divorce is easier?

In Scotland, ever since the Reformation the Courts have decreed divorce on petition of either spouse on the grounds of infidelity, and as early as 1573 an Act of Parliament

made desertion for four years grounds for an action by which divorce could be pronounced.

In most Protestant nations divorce is granted for adultery and other reasons, and in Mohammedan lands divorce is remarkably easy for the husband at any rate, as a few words of repudiation suffice to loose the marital bonds.

In America and elsewhere there are no special courts for divorce, as the ordinary courts possess the necessary jurisdiction.

Certainly no one who knows American family life can seriously suggest that it has been gravely damaged by the comparative ease with which divorce is allowed in most of the States.

Our American cousins indignantly deny the suggestion, and triumphantly point out that in the United States as a whole there have been more than six marriages for every divorce reported. Even in Reno, where the famous "divorce mill" exists, it is pointed out that far more marriages are celebrated than divorces granted.

Another class of actions which often unfold little domestic dramas of intense human interest is also based on the Law of Contract.

In the popular novelette, the most thrilling part is where the handsome and gallant swain takes the blushing and coy maiden into his arms, and, kissing her passionately, implores her to be his wife. When she murmurs "Yes," it is only the reader with a legal mind who realises that, provided the young couple are not within the degrees of consanguinity laid down in the Marriage Act of 1835, or "infants" in the eyes of the law, a legal and binding contract to marry has been made during this touching incident.

The promise need not be in any set words or in writing, and if either party backs out of the bargain at a later period it is open to the other to bring an action for breach of promise of marriage.

The Court may, as in other contracts, infer the promise from the conduct of the parties or deduce it from a series of love letters. A packet of such letters may not only give great amusement to the Court but prove the most complete evidence of the existence of a disputed contract.

The late Mr. Justice McCardie had strong views on this class of action which he expressed in the following words: "The great majority of actions for breach of promise of marriage have not been brought in order to secure recompense for actual injury sustained by the woman, but rather to inflict anxiety and hurt upon the man by public trial, because he had disappointed the woman."

It was the same learned judge who recalled that prior to 1753 the Church had the power to order specific performance of a promise to marry. The ecclesiastical judgment was rigorous and significant. The words used were as follows: "Sentence for matrimony, commanding solemnization, cohabitation, consummation and tractation, as becometh man and wife to have." The promise to marry might also be enforced by the process of ecclesiastical excommunication.

To-day, however, even the High Court of Justice is unable to compel the performance of a marriage contract; but it can, and, indeed, often does, mulct the recalcitrant "contractor" in heavy damages.

It is the jury which assesses the amount of damages, and they are naturally influenced by the actual financial effect on the plaintiff of the broken engagement.

A point which will influence a jury more than anything else is evidence to the fact that a woman plaintiff has been seduced by the defendant.

This brings me to consider the question of seduction itself. In law, seduction means the act of decoying away a servant or member of a family from his or her duty and merely seems to include as an afterthought the act of persuading a chaste woman to indulge in sexual intercourse.

Curiously enough, a woman who is seduced, however basely or deceitfully the seducer may have acted, has no right of action against her betrayer if there was no promise of marriage prior to the act. But her master or mistress, can sue in respect of loss of service caused by the seduction, so that an action becomes part of the law of Master and Servant. Similarly, if a father or mother can make out loss of service, damages can be recovered on this account; and it is the usual practice of juries to give "exemplary damages" where the conduct of the defendant has been heartless or dishonourable.

This legal fiction operates unfairly in some cases; for instance, a rich man, whose daughter occasionally renders him some trifling service such as making his tea, can recover damages if she is seduced, whereas a poor man, whose daughter is in a situation away from home, cannot!

In Scotland, the woman can sue in her own name if deceit has been used; but the difficulty of showing that the deceit was the only cause of the injury prevents such actions from being common.

Abduction is quite a different matter from seduction. It is a crime which is a misdemeanour under certain circumstances, and a felony in other cases.

The law metes out severe punishment to abductors, who are dealt with either at the Central Criminal Court or at Assizes, which will be considered in the next Chapter.

CHAPTER XIV

CRIME

The fault is as great as he that is faulty.
SPANISH PROVERB.

He who protects a guilty person is preparing a crime against himself.
PUBLILIUS SYRUS.

IN London all serious crimes are tried at the Central Criminal Court, popularly known as the Old Bailey, which is almost continuously in session. But in the provinces criminal trials of importance take place at what are called assizes, when the Judges of the High Court visit certain towns and carry the King's Justice to every part of the country.

The "Assizes" are a remarkable survival and always a great event in the Assize town. Formerly, they introduced a dash of medieval colour into the drab surroundings of provincial life, but with the passing of the horse they have been shorn of much of their splendour.

I can well remember the judges passing to the Court House at Belfast in carriages drawn by six horses with outriders and escorted by a troop of cavalry.

Obviously it is undesirable that the great men should be housed in hotels or as the guests of private persons, so they reside during the sittings in what are called Judges' Lodgings, kept up throughout the year by the local authorities.

During the Assize it is the duty of the High Sheriff to wait on His Majesty's Judge, and nowadays the Judge travels from his Lodgings to the Court in the Sheriff's motor car.

For each circuit the Judge has the privilege of appointing a Marshal, who is usually a friend or relative, and often a military man.

The Judges of the High Court are all knighted on appointment, but are somewhat quaintly styled "Mr. Justice So-and-So."

In private life they are hailed by their friends as "Judge," but in Court they must always be addressed as "My Lord."

In this relation there is a pleasant story of a young barrister who was much embarrassed by a woman witness who would insist on referring to him as "My Lord." At last he said to her, "Madam, you must not address me as 'My Lord.'" The kindly judge then beamed on him and said, "Perhaps, Mr. Smith, the witness is only showing a little intelligent anticipation."

The accommodation in the Court House varies, but an Assize Court is always an impressive sight with the judge in his scarlet and ermine, supported on the bench by his Marshal in military uniform, the High Sheriff and some of the local magnates and their ladies.

The procedure is dignified and slow, indeed to the women in the jury box often interminably so, but every chance is undoubtedly given for the charge to be carefully and fairly presented and for the defence to be as fairly and equitably placed before judge and jury.

Having followed the evidence and heard the speeches of counsel the case ends by the judge summing up.

Nowadays this is usually a fine piece of work, but Lord Alverstone tells us that in his early days at the Bar juries did not receive that guidance from the presiding judge to which they were entitled.

At Assizes the summing up is of special value, as many counsel on circuit are not very experienced, so that with the best intentions they are apt to make statements of fact not justified by the evidence actually given. Here the judge is able to assist the jury by pointing out the differences between the statements of counsel and evidence given in the witness box.

In former days, some judges certainly devoted little time to this important duty. For instance, Lord Brampton summed up on one occasion in twenty-four words. He said, "the prisoner said he didn't steal the candlesticks, and six witnesses said he did. It is for you to decide who are the liars."

Nowadays a great deal of the time at the Assize Courts in general, and at the Old Bailey in particular, is occupied by the consideration of financial frauds. The amount of misplaced ingenuity which is displayed by many individuals in obtaining money by sharp practices would have made their fortunes easily if applied to honest commercial adventures.

There is a type of brain which cannot operate without criminal propensity, and this curious mentality is possessed by many women. These feminine activities are not of modern growth, as we are told that in the spacious days of the Second George female sharpers infested all places of public resort.

In these days of the Eighth Edward, women have not played a spectacular part in most of the great frauds which have recently come before the courts, but they have been active agents behind the scenes. In many cases, too, they have shown originality and resource, and owing to their sex have been able to carry out schemes well nigh impossible to men. A woman "financier" merely by her sex inspires confidence and induces her victims to embark on schemes which they would never accept if propounded by mere men.

Recently gigantic frauds in Paris were carried out by a woman.

Chivalry is not by any means dead nowadays, in spite of what mutinous women may say to the contrary, and when men are trapped by women *amour propre* usually makes them pay up and look pleasant when they would go to the police with regard to a male sharper. Experienced

police officers themselves are far from being blind to feminine attractions, and the woman cheat is often able to hoodwink them in situations where their male accomplices would have no sort of chance of "getting away with it."

Even judges themselves are not insusceptible to feminine charms, and Serjeant Sullivan, in his *Recollections of an Irish K.C.*, relates a story of an Irish Chief Justice who had a "strong weakness" for a pretty face. Counsel for the defence in a rather hopeless case, knowing the judge's failing, put a beautiful girl into the witness box to give evidence for his client. The impressionable judge beamed on her, but received a hint from his Marshal which elicited the remark: "Mr. Murphy, I admire your witness, but I must tell you that the time has passed when I could be influenced by a fair face rather than good evidence. Alas! I am now an extinct volcano." Notwithstanding his protest, counsel, however, noticed that the judge continued to ogle his fair witness, so, quite unabashed, he replied: "I'm not so sure, m'lud. I'm thinking there may be some rumbles in the ould crater still!"

Formerly, there were three crimes for which women alone could be indicted. They were prostitution, the public nuisance of being a common scold, and witchcraft.

Prostitution can by recent legislation be practised by men as well as women, and witchcraft is referred to in a later chapter.

The public nuisance of being a common scold has been abolished and to-day the only crime which can be committed only *by* women is the act or attempt to procure abortion on their own persons.

There are, however, a number of crimes which can only be committed *on* women, such as rape and incest. They will be referred to later.

Burglary is perhaps the commonest crime in this country. It consists in breaking and entering a house between the hours of 9 p.m. and 6 a.m. The felonious entering of a

house, except during these hours, is defined as housebreaking and is regarded as a less serious crime.

Nowadays most burglars have women accomplices who take little part in the actual "breaking and entering" of premises but serve a threefold purpose in carrying out the elaborate operations of the active criminal.

They spy out the land by gaining admission to the "cribs" it is proposed to "crack" in some capacity, either as servants or as saleswomen.

They drive the car, which is part of the equipment of every modern cracksman, and they act as scouts whilst the selected premises are entered and rifled.

This is the sort of thing which happens.

A policeman finds a girl in difficulties with a car on a country road and offers his help.

The girl replies that he would help her immensely if he could find an A.A. Scout.

He strolls off to find a man, and when he returns finds the car gone and later on gets the information that a neighbouring house has been cleared of all its valuables.

The women associates of criminals are rarely their wives. The men are often married, but their accomplices are usually women whose fortunes are not linked to them by any marriage bond. These women are often extremely devoted to their men.

The famous French burglar, Eddy Guérin, had an unusually competent and loyal assistant in his mistress, May Churchill, better known as Chicago May. She escaped arrest at the time Guérin was taken, but, after spending a few weeks in England, returned to Paris to try and get into communication with her lover, and was arrested.

The inquiry established that she had taken Guérin's luggage to England.

A true friend to the burglar, May Churchill denied that Guérin had taken part in the crime with which he was

charged, and did all she could to prove her lover's innocence. But the English police quashed her statements with the information that she had checked Guérin's luggage under a false name when she arrived in London, and that she had gone to a safe deposit to leave a package which doubtless consisted of the booty. She was too quick for Scotland Yard, however, as, learning the police were on her track, she got away before they could search the safe.

This woman had a long career of crime. Before she took up with the Frenchman, together with another woman and a certain Timothy Oats, she had practised a special form of robbery, the two women enticing men to their rooms where they were relieved of their valuables by Oats.

This practice is much too dangerous to be common. Usually, the pimp who lives on the earnings of prostitutes is willing to take their money and do nothing to their victims. But there is a type of bully like Oats who is in a hurry to be rich, and usually very quickly falls into the hands of the police.

The Apaches were a fierce and warlike tribe of North American Indians who were long the scourge of the frontier regions of the United States and Mexico.

They were renowned for their savagery, and the French have cleverly applied their name to the desperadoes of Paris.

The French apaches are robbers and assassins who are experts in the use of the knife, and the women are as active as the men in murderous attacks on their victims.

In this country there are comparatively few women who in their warfare with society carry their hatred "even to the knife." In the sphere of murder with violence, the softer sex have, however, rivalled men in the barbarous cruelty they have inflicted on their victims, but I do not propose to repeat the oft-told tale of such female monsters as Kate Webster or the Sisters Flanagan.

Fielding tells us that in his day the term "a draught on Aldgate pump" was "a mercantile phrase for a bad note," shewing that the counterfeiting of currency was already a familiar practice.

To-day there is no department of crime in which greater skill or misplaced ingenuity is displayed than in the craft of the forger.

Technical skill in the use of chemicals, patience and great dexterity of manipulation are required, especially where stolen cheques, money orders and other "negotiable instruments" are manipulated.

Dainty feminine fingers lend themselves to the delicate processes required in the forger's factory, and women are freely employed by the experts in this variety of crime.

Moreover, women are well adapted to the gentle art of robbing letter boxes by means of ingenious implements made from umbrella ribs, and girls are regarded with less suspicion than men in passing off worthless cheques.

Female criminals are, too, exceptionally skilful in devising means of acquiring the cheque books which are such an important part of the stock in trade of the forger.

There is alas, a particularly cruel form of crime which is almost exclusively confined to females. It consists in the criminal use of an important chemical known as sulphuric acid, which is the most powerful of the mineral acids. It is cheap and readily obtainable, as it is largely used in a vast variety of commercial processes such as the manufacture of soda and bleaching powder, and in calico printing and dyeing.

One of its more modern uses is in the preparation of glucose for the manufacture of beer.

The term "vitriol"—derived from the Latin *vitrium*, glass—was applied by the old chemists to the native and artificial sulphates or combinations of sulphuric acid with the metals copper, iron, and zinc. Sulphate of iron, which is still popularly styled green vitriol, was the original

source of the heavy oily acid which is styled oil of vitriol.

The intense corrosive action of the acid is so proverbial that it has given rise to the coining of an adjective, "vitriolic," which is applied to malignant persons and to language unusually bitter and scathing.

Vitriol produces severe burns when applied to the skin of all animals, and throwing the acid at their enemies with the intention of wounding and disfiguring them is one of the most cowardly forms of attack.

If the acid reaches the victim's eyes it assuredly blinds the individual; and the effect is always so sudden and effective that the victim can do nothing in self-defence.

The criminal usually awaits her victim at some corner in the dusk and throws the acid from a glass or cup into the face of her unsuspecting prey.

Vitriol-throwing is altogether a most ugly crime, for it is always committed in a spirit of extreme vindictiveness, and represents woman in one of her most repugnant aspects.

Turning from an abominable crime practised almost exclusively *by* women, we pass to a brief consideration of two crimes which can only be committed *on* women, rape and incest, which are unhappily very common, especially in country districts.

The woman barrister who goes on circuit for the first time, thinking that she is in for a thrilling experience, is usually doomed to disappointment.

She expects to hear the trial of sensational murders, daring burglaries and exciting robberies by violence. When she sees the calendar she will find a dreary list of bigamies and indecent assaults, interlarded with charges of rape and incest.

Bigamy is remarkably common in this country.

It was made a felony punishable by penal servitude up to seven years by a Statute passed in 1866.

I appreciate what a serious offence it is for a man to gain possession of an innocent girl by means of a contract

which he was not qualified to make, but comparatively few cases fall under this heading, and most of these cases might well be tried at Quarter Sessions instead of occupying the valuable time of the Central Criminal Court or Assizes.

Incest is a civil crime of recent creation, although this form of illicit intercourse is as old as time.

The Law of Moses condemned incest, and most of a chapter of *Leviticus* is devoted to the subject. Several instances of the practice are given in the Old Testament, and St. Paul wrote to the Corinthians with regard to it.

In this country, although marriages between close blood relations, with the degrees of affinity laid down in the familiar table in the Book of Common Prayer, were void, actual punishment was left to the ecclesiastical courts which had, however, long ceased to function in such matters.

It was not till 1908 that an Act was passed making it a criminal offence for a man to have sexual intercourse with his daughter, sister, mother or grand-daughter, or for a woman to have similar relations with her son, brother, father or grandson.

Within the meaning of the Act, brother and sister include half-brother and half-sister.

Although legislation with regard to this practice is so recent in England, across the Border, Scots law has long made incest a felony punishable by death or penal servitude for life, and it was not till 1887 that the severity of the penalty was relaxed by Statute.

The statutory punishment in England is penal servitude for three to seven years, or imprisonment for two years with hard labour. The consent of the woman is no defence.

Mere submission does not make a woman an accomplice, but solicitation or active submission does.

Curiously enough, the Incest Act is bitterly resented by the people it was framed to protect—the women.

A lady visitor to Holloway tells me that the women

complain to her of being sent to prison for an act which they do not regret.

"It was only my own brother, or my own father; what was the harm?" they say.

Rape is another matter. The original meaning of the word rape is the act of seizing and carrying away by force. It is used in this sense in Roman history with regard to the Sabine women whom the early Romans carried away to be their wives.

Pope employs the term in his herio-comic poem, *The Rape of the Lock*, the finest thing of its kind in the world, a sparkling jewel five cantos long.

Who has not smiled at the poet's description of the cutting of the sable ringlet from Belinda's neck?

> The meeting points the sacred hair dissever
> From the fair head, for ever, and for ever!
> Then flashed the living lightning from her eyes,
> And screams of horror rend th' affrighted skies.
> Not louder shrieks to pitying heaven are cast,
> When husbands, or when lap-dogs breathe their last;
> Or when rich China vessels fall'n from high,
> In glitt'ring dust and painted fragments lie!

Nowadays the word is restricted to the description of the carnal knowledge of a woman against her will by fear, force, or fraud.

The gist of the offence is the absence of free consent in a woman of full age, but if this consent is obtained by impersonating her husband or by false representations as to the nature of the act, her consent is no defence and the crime has been committed.

There is a dreadful belief still prevalent in country districts that sexual intercourse with a pure virgin will cure venereal disease.

This cursed error is at the bottom of most of the cases which come up for trial at assizes, with the result that the principal witness for the prosecution is some poor little

girl who has been assaulted by some lusty brute of a farm labourer.

These cases are very distressing as the children are usually infected by the disease from which the man has been suffering.

But enough has been said to show that much of the evidence in cases at assizes is unpleasant hearing, and the pomp and panoply of the judge and his retinue has often a very sombre setting.

The Sheriff often provides trumpeters who blow a fanfare when His Majesty's judge arrives at the Court house.

I have often wondered if the music of their trumpets is meant to cover the sighs, the sobs and the groans of the prisoners and their unfortunate relatives.

CHAPTER XV

THE OLDEST PROFESSION

The Harlot's cry from street to street,
Shall weave old England's winding sheet.
Plays unpleasant
G. BERNARD SHAW.

THE practice of prostitution goes back to the earliest times, and was already a recognized institution in the days of the Jewish patriarchs.

In ancient Babylon it was part of religious ceremonial in the temples of the goddesses, and similar practices persist in India to-day.

In the classical period, Athens had its famous courtesans such as Aspasia to whom Pericles attached himself; Phryne, who acquired so much wealth by her beauty that she offered to rebuild the walls of Thebes if she might put on them the following inscription: "Alexander destroyed them, but Phryne, the hetaera, rebuilt them"; and Thais, who induced Alexander, when excited with wine, to set fire to the palace of the Persian kings at Persepolis.

If Rome did not actually legalise the courtesan, it had its recognised brothels, and Juvenal, in one of his Satires, refers to the prostitute standing for hire at the Circus Maximus between the Palatine and Aventine Hills.

The most outspoken of English writers, in the extract I have placed at the head of this chapter, seems to think that we have advanced very little since Roman times.

With the spread of Christianity some attempts were made to suppress the vice, but the crusaders gave a great impetus to unconcealed immorality, and, throughout the Middle Ages, the practice became recognised as an inevitable part of the social system.

Wars have always led to encouragement of loose living, and swarms of women followed the armies of both sides in the campaigns of the seventeenth century.

Modern States vary as to their attitude towards the vice. Some disregard it, others attempt to regulate it, but many try to check it!

To-day, in this country, there is no law against individual prostitution, and it is only when a woman known to the police "wanders in the public streets or public highways or any place of public resort and behaves in a riotous or indecent manner" that she comes under the penalties of the Vagrancy Act and may find herself in the courts as "an idle and disorderly person." In London, under the Metropolitan Police Acts, a police officer may arrest a woman for soliciting in the streets, but this provision goes little further than to harass the poverty-stricken in the interests of public decorum.

Collective prostitution in brothels, or, as the legal phrase goes, "bawdy houses," is punishable as a common nuisance, but it was not till less than fifty years ago that "procuring" girls for immoral purposes or to become the inmates of brothels became legally punishable.

As a matter of fact, a great deal of nonsense is talked about the subject of promiscuity in girls and young women. Generally speaking, the *fille de joie* is born and not made, and the sober study of the subject by scientific workers brings out the fact that the beginning of delinquency in girls is usually an impulse to get amusement, adventure, or pretty clothes. Sexual desire plays little part in the "fall" of most young girls, as they become "wild" before the development of sexual feelings, and their casual sexual relations do not usually awaken any real passion. They employ their persons for the realisation of other pleasures, and utilise their sex as a coin would be used, to secure adventure and excitement.

The surrender of such girls to their lovers is rarely prefaced by a promise of marriage.

Girls found leading immoral lives in London and other great cities often claim to be clergymen's daughters, and tell pathetic stories of their betrayal, but such yarns are always to be discounted.

They have generally been invented because virginity has been so idealised that some such explanation is expected to satisfy the girl's patron. Seduction is the romantic way of "falling," the one used in the story books and "movies," and the pathetic history of many a girl's downfall is borrowed from a film story.

No doubt many people will be shocked to learn that most street walkers deliberately choose prostitution as their occupation. A great deal of sentimental pity is extended to this type of woman, and a great deal of money is expended on attempting to reclaim them from what is regarded as their miserable mode of life. But the woman of easy virtue wastes no pity on herself. She has probably been out of work and starving, and finds that prostitution affords an easy and fairly steady income, and that it satisfies a sex craving which grows in proportion to the extent that it is indulged. Many people still turn a stubborn ear when they hear facts of this kind. They have been taught that a woman "never goes wrong" until "deceived" by a man, but this is very far from being a fact. Most women deliberately surrender themselves either for love or money. The life of the "fallen woman" is not always unpleasant; and far from being addicted to drink, the great majority are more abstemious than many of their despisers, and decidedly more thrifty. Many of these girls have regular clients and establish real friendships with their men "friends."

The wife of a distinguished judge tells me that efforts to reclaim women who find their way to Holloway are usually futile. At the end of her sentence a girl is told that a good job has been found for her; she asks what wages she is to receive and is told, say, a pound a week. "Thank you very much," she replies. "Nothing doing, I can get

more than that for spending one night with one of my friends."

In Burma, many girls deliberately set out to seduce young soldiers and civilians, and their fellow countrymen think no less of them for doing so. Indeed, there is little or no odium attached to a "friendship" with a man of good position "on the road to Mandalay."

In India, women of this class are usually professional dancers, and the society of the educated, and always attractive, dancing girls is eagerly sought by men of all classes as a distraction to their somewhat sordid home life, and for their intellectual more than their physical charms.

Kipling, in his inimitable way, brings this out in his fascinating story, *On the City Wall.*

Lovers of that master-craftsman of Indian story writers will recall that Lalun was a "member of the most ancient profession in the world. Lilith was her very-great-grandmother, and that was before the days of Eve, as everyone knows. In the West, people say rude things about Lalun's profession, and write lectures about it, and distribute the lectures to young persons in order that Morality may be preserved. In the East, where the profession is hereditary, descending from mother to daughter, nobody writes lectures or takes any notice; and that is a distinct proof of the inability of the East to manage its own affairs."

Sir George McMunn, whose knowledge of India is unrivalled, puts the position in his masterly style; he says: "The salon of an Indian courtesan and dance-troupe cateress is worthy of understanding. There may be all sorts of intimacies on occasion in the musk and sandal-scented interiors, but first and foremost it is a house of entertainment. There is no such thing as social intercourse between man and woman in reputable houses. Even where women are not *purdah-nishin*, and do not live behind the veil, visiting and entertainment as Europe understands them, are unknown save in the very few westernized

families. Female society, jest, chatter, gossip, news, joie-de-vivre and repartee are purveyed in such establishments as the 'house on the wall of Lalun.' There all the young men of the intelligentsia and trade, the squireen from the country side, the native officer of the army, and everybody that is anybody are likely to put in an appearance.

"One glimpse of beauty frail and fair is vouchsafed us of a type that far transcends that of the Lalun whom Kipling has shown us in that northern city—we are taken to see the lime-light turned on the sort of woman that ruins Eastern kings. To get there is an easy matter. In an old and narrow portion of the Great City of Calcutta, that City of Dreadful Nights, the teller visits her. He is led by a police chief up a winding well-staircase—There is a glare of light on the stair head, a 'chink of innumerable bangles, a rustle of much fine gauze, and the dainty iniquity stood revealed, blazing,—literally blazing—with jewellery from head to foot. Take one of the fairest miniatures that the Delhi painters have drawn and multiply it by ten; throw in one of Angelica Kauffman's best portraits, and add anything that you can think of from Beckford to Lalla Rookh and you will fall short of the merits of that perfect face' . . . her maids are only one degree less gorgeous than she. Half a lakh or fifty thousand pounds' worth are disposed upon her little body . . . each hand carries five jewelled rings which are connected by golden chains to a great jewelled band of gold in the centre of the back of the hand—ear-ring weighted with emeralds, diamond nose-ring . . .

"This is no tale of the Arabian Nights, no tale by a woman telling stories to save her life to gain one more night of life from a sated lover's scimitar, but a presentment of what wealth can demand for itself in the East. The Dainty Iniquity whose manners to her visitors were charming, was the thrice-costly light-o'-love of fabulously wealthy

Indian merchants and bankers, and who also kept with her maids just such a salon on a vastly more luxurious scale, as Lalun kept. The philosopher might well say that this costly lump of delight was no more than a simple maiden, but human nature with money demands costly setting apparently—and radiant outcaste beauty could call her own tune."

In France, many *filles de joie* "work" with a view to collecting a "dot," without which they have little chance of marriage, and on retiring from "business" become model matrons.

Since classical times, down the centuries there have been a number of famous—or infamous—women who have adopted the career of a courtesan with zest and enthusiasm.

The sins of most of them are forgotten, and all that survives is the memory of their vitality, their courage, and their philosophy.

Most of these women have regarded love between men and women as a purely sensuous emotion, entirely devoid of spiritual value. In other words, a love affair meant little more to them than a good lunch or well-cooked dinner.

Some have gained reputations as wits, and there can be no sort of doubt that the charm of many of them has been due as much to their brains as their bodies.

They have created *bons mots* which are still remembered, such as, "It needs far more intelligence to make love successfully than to command many armies," and "Love is a tiring game, but one always returns to it!"

One of the most famous of these women, Ninon de Lenclos, lived to be over eighty, with one desire in her heart at this advanced age to find a man to fall at her feet and beg that he might be privileged to love her.

Her hope was fulfilled, for within a few months of becoming an octogenarian a young priest fell violently in love with her.

As if to make foolish those who suggest that the life of a courtesan soon deprives a woman of her good looks, Ninon had no need to employ cosmetics or other aids to beauty.

In her case the years brought no wrinkles or crowsfeet, and she remained in her eightieth year like a well-preserved woman of thirty-five or forty.

The octogenarian courtesan kept her lover on tenter-hooks till her eightieth birthday, and then she sent for him. He came and found her room gay with gifts. She was in high spirits, dancing up and down the apartment like a schoolgirl. Her eyes flamed with joy. As he came into the room, she held out her hand and told him that the moment for which he longed had arrived. She was ready to love and to be loved.

A little later, she told him why she had delayed.

"Mon ami! I am to-day eighty years old. You see, I wanted to be able to boast in after years that I had a very dear lover on my eightieth birthday!"

This amazing affair between a man and a woman old enough to be his grandmother continued for many months. Eventually, it was ended, not by the man, but by the woman, who once again had grown weary of her lover!

Jeanne du Barry, the contemporary and successor of Madame de Pompadour, was a common courtesan fated to play a sad part in the history of the French monarchy.

Her mother was a domestic servant and her father may have been anything, as her mother dispensed her favours freely.

She adopted the career of a courtesan, and became the mistress of the Comte du Barry, who decided that she was likely to please Louis XV. She was introduced to Versailles by a subterfuge. The King fell in love with her at once, but it was impossible for the Ruler of France to embark on a liaison with a mere courtesan. His Majesty could only have an affair with a lady of his Court.

The difficulty was easily surmounted. The Comte du Barry was married, but had a bachelor brother, a quiet country gentleman, who was willing to give his name to the King's future favourite.

After a brief honeymoon, the complacent bridegroom retired to his country estate and Jeanne was installed at Versailles, where she commanded immediate popularity.

But, under the leadership of the Du Barry, the French Court added such gross vulgarity to its prodigal expenditure that a wit of the day remarked, "The day will come when the crown of France will be nothing but a nightcap for these two lovers!"

Indeed, the insane extravagance which this woman inaugurated hastened the coming of the Revolution.

But this common courtesan met with no lowly death associated with disease or poverty.

When the Revolution came, she remained loyal to her aristocratic friends and ended her days amongst the old nobility on the scaffold.

"La Dame aux Camélias" was the exception that proves that the courtesan does not always live long and die happily. But she died of a pulmonary tuberculosis, a disease which could hardly be attributed to her mode of life.

The original of the famous character was Marie Duplessis, an uneducated waif from Normandy abandoned by her father in Paris.

For a year she starved, froze and slept out; then a Duke discovered her at a students' ball and educated her.

The midinette developed into a beautiful pampered creature.

Every young aristocrat in the Paris of the 'Forties of the last century worshipped her. Every artist loved her, quarrelled over her, and smothered her in the delicate, odourless blossoms of her favourite flower—the camellia.

She was tall and slender and her black hair framed a

perfect oval face. Her eyes were dark and lustrous; her lips, curved like cupid's bow, smiled on the world with an expression of innocence and wonder. Her voice was bell-like and she had a gift of saying the right thing at the right moment.

All through the winter of 1845–1846 Paris talked of nothing but the mad love and the extreme indiscretions of Franz Liszt, "Prince of Pianists," and of Mademoiselle Marie Duplessis.

The two handsome lovers were perfectly matched, and became popular figures in the gay life of the boulevards. But it was not to Liszt that Marie owes immortality but to the *grande passion* which she inspired in Dumas *fils*. Her romantic life story and early death inspired her lover to write first a novel and then a play about his Dame aux Camélias.

She was a remarkable creature to rise from the gutter to the social heights she attained in Paris.

It has been well said that "Not even George Sand was her superior in choosing the greatest men of the day to be her lovers, and in imposing herself and her personality upon a scandalised but fascinated world."

The tragic end of the Dame aux Camélias touched all hearts.

"Paris is corrupt to the core," wrote Charles Dickens from Paris. "For some days now, all questions of politics, or of art, or of business, have been crowded out of the journals, which seem determined to discuss something of far greater importance—the romantic death of one of the glories of the *demi-monde*, the beautiful, the celebrated Marie Duplessis. One might believe it was a question of national hero, or of another Jeanne d'Arc. They circulate about her the most outrageous legends. They say that she died of a broken heart. I, for my part, as a sensible Englishman gifted with a little common sense, think that she died of boredom and of satiety."

But for all his good Victorian horror, Dickens could not keep himself from attending the sale of Marie Duplessis's effects.

"She left behind exquisite furnishings, a complete equipment of sumptuous jewels, and the most voluptuous of finery," he wrote. "You should have heard the applause when Eugene Sue bought her prayer-book!"

The great ambition of poor Marie Duplessis was to be an actress herself, but she never attained any success in the theatre. It was different with Rachel, a gutter-bred Jewess of Paris, who flourished in the early years of the last century, of whom Mr. Bernard Falk has recently published a biography.

It was the genius of Rachel as an actress as much as the fleeting amours of her hectic life, which made her the talk of Paris and London.

Gossip and the scandalmongers always had some fresh and piquant story of Rachel's latest *affaire* to retail, and thus it was that about her name all manner of legends were allowed to gather.

Rachel was probably no worse than most Paris actresses of the period, but all eyes were on her, and not on the others.

Her life was a procession of lovers, although she never married and never found much happiness with any of them, even the handsome poet, Alfred de Musset.

Swiftly Rachel rose to become Queen of the Stage, and, for all her notorious reputation, the darling of Society.

Even the Prince de Joinville, Louis Phillipe's cleverest son, the young man who was affectionately called the "sailor prince of France" lost his heart to the glamorous Jewess.

Rachel was received everywhere and became the friend of the Duke of Wellington, who, we are told, liked nothing better than a chat in bad French with the seductive young actress, the lure of whose long-fringed, deep-set eyes

attracted him more than those of most of the adoring ladies who flocked after the great soldier at evening parties and whose skirts even fluttered amongst his staff at reviews.

They met frequently at various social gatherings, and became so friendly that they went so far as to exchange confidences about their respective ailments.

"She confided to him that her nerves were bad and he advised her to take baths of *eau sale*. He meant not dirty, but salty, water, and should have said *eau salée*.

"Rachel, mildly surprised, innocently inquired what degree of *saleté* (dirtiness) was prescribed!

"Then it dawned upon the Duke, whose French was as bad as Rachel's English, that he had blundered. He corrected his adjective. Salt, not dirty, baths was what he recommended!"

The 'Sixties of the last century saw another courtesan, Cora Pearl, high in favour not only in the best circles in Paris but at the Court itself. She was an Englishwoman educated in France who shrank from marriage with disgust and spent some thirty years exploiting her body with such success that she ran through a million pounds during this period.

She supplied Zola with some, at least, of the material for his famous novel, and is indeed believed to have been the prototype of Nana. She was the friend of that "lath painted to look like a sword," the Third Napoleon, and it has been recorded during the ill-starred campaign of 1870–1871 that Napoleon sent her daily telegrams announcing his progress, and that after the debacle Cora was summoned to Sedan to console the stricken Emperor!

Although born an Englishwoman, this courtesan of kings had come to look upon France as her real home. For England she had the dislike which is acquired by some people, who, sent to France in their childhood, become so Gallicized that English life and customs become foreign and distasteful.

I had a friend who came under this category. He was an officer in a great English regiment, but left the army at the earliest opportunity and settled in France.

It has been said that Cora loved Paris as she had never loved a lover.

But sixty years ago the French police had begun to be interested in the careers of women of this class, and Cora's associations with the Shah of Persia, who is said to have given her many presents of enormous value, including a gold collar worth £10,000, led to her dismissal from France.

She went to Turin, followed by the Shah, but her stay in that city was brief. The Italian authorities resented her associations with the Persian, and again she was asked to go.

After this escapade, even the gay towns of the Mediterranean littoral became too hot to hold her. At Monte Carlo, Cora was dismissed within twenty-four hours of her arrival. At Nice, they endured her for a fortnight—then came a polite, but firm, notice to quit. In London, having taken rooms at a famous hotel, it was suddenly discovered that her rooms were already engaged. Cora moved to a less notable hotel, and, with characteristic tolerance, London forgot her existence.

For this queen of courtesans who had played a glaring part in the lives of many famous men of the Second Empire, there was no gradual descent by way of cheap lovers to the pavement. She died comparatively young, but it seems that her hectic life played no part in hastening her end.

The careers of these remarkable women have been referred to in order to show that in the lives of the greater courtesans, as in those of their humbler sisters, the wages of sin have rarely been disease and an early death.

Now little can be done for the women or girls who deliberately adopt a career of sin, but it is different with

those who, under false pretences, are induced to leave this country and, afterwards, are exploited for vicious purposes.

There can be no sort of doubt that traffic in women was rampant some years ago and still persists.

The late W. T. Stead set out to expose it fifty years ago and went to prison for his pains.

In the years just preceding the Great War it became clear that an extensive system of procuring young women and girls for immoral purposes had developed in this country. The practice became known as the White Slave Traffic, and an agitation developed against it.

To meet the growing public indignation, the Criminal Law Amendment Act was passed which authorised police sergeants to arrest persons merely suspected of being about to commit the crime of procuration.

The Act aimed at stamping out the use of houses for immoral purposes, as when an occupier of a house was convicted of keeping a "bawdy-house," if the premises were used again for a similar purpose the landlord was held to be partly responsible for the illegal use of his property.

An International Convention for the Suppression of the White Slave Traffic was held in Paris, and twelve European Powers and Brazil signed an agreement for the punishment of procuration, wherever committed, of girls under age with or without consent, and of adult women by fraud or compulsion.

The work of this International organization was taken over by the League of Nations in 1920, and a further International Conference was held in 1921 at which thirty-four States were represented.

This Convention raised the age of consent to twenty-one and made arrangements for exchange of information through an Advisory Committee on the Traffic in Woman and Children.

There have been numerous Conventions since that year, and a great number of International Associations for the

Protection of Women and Children are associated with the Convention.

The main recruiting grounds for the traffickers in "White slaves" are France, the Central European States and the Slav countries, and the importing countries are Egypt, North Africa, and the Far East.

Alexandria, Casablanca, Algiers and Shanghai are the chief ports to which "slaves" are exported.

Until the last few years Buenos Ayres was the chief importing centre and a remarkable book, *The Road to Buenos Ayres*, by Albert Londres, startled the world two or three years ago.

In an introduction, Theodore Dreiser, the well-known American author, relates an interview with a student appointed by the Rockfeller Institute to investigate the problem of prostitution in all parts of the world. This investigator, after studying the subject in New York, Chicago, London, Paris, Berlin, Constantinople, Rome, Moscow and other cities and countries, had found to his astonishment that his preconceived notions as to the results on the individual of the career of the courtesan were entirely wrong.

It was true that some "practitioners" suffered various moral qualms or material hardships. It was also true that a number contracted diseases, and that not a few allied themselves with crime and suffered for that; but generally speaking, they were none the worse for the lives they led. In the long run, instead of dying early and in the gutter or the madhouse or jail, the erring did no more than to retire to other and not infrequently more profitable and quite respectable lines of effort such as the management of bars and shops.

In fact, the statistics of this investigator went to show that not more than seven per cent of all deaths of these women could be traced to the actual risks of their calling.

Londres went out to the Argentine and investigated

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the fate of the "white slaves" on the spot. His report is surprising not only in its candour but in the results he publishes.

He found that the women made enormous sums of money for their "employers."

He does a little sum for the benefit of his readers, which shows that one lady whom he interviewed earned over three hundred pounds sterling in her first week!

He relates, too, that the women become devoted to their exploiters, who open banking accounts for them and treat them well. He described an attempt to "rescue" a girl from her "man." She flatly refused to leave him.

The pimps sometimes return their employee's affection, and one fellow told Londres that he was going to "sell out" in South America and go back to France with his London "agent." "Then we shall live like respectable citizens, and I shall be proud of her and she of me," he said. "We shall spend the winter at Nice, the spring at St. Cloud, the summer on the Marne, and the autumn at Montmartre."

Londres comes to the conclusion that these women were manufactured by Poverty and that the pimp simply exploited their desperate need.

"Poverty," he said, "is like a foreign country. Only those who have lived there know anything about it; other people don't seem even to give a thought to it. And when they do happen to say anything about it, they say the sort of thing they would about a country they had never seen; in other words, they talk nonsense. People who have always had enough to eat, and always had a bed to sleep in, should sew up their lips before informing us what they would or would not have done had they been poor. They are like those who talk about the War without having been in the trenches."

He declares that the White Slave Traffic will continue:

As long as women cannot get work.

As long as girls are cold and hungry.

As long as they do not know where to go for a bed.

As long as women do not earn enough to allow themselves to be ill, or enough (if that is not asking too much) to buy themselves a warm coat in winter. Enough to buy food, sometimes, for their families, and their children.

As long as we allow the bully to offer the bread which decent Society withholds.

Surely a sorry commentary on our modern culture.

Shortly after the publication of his remarkable exposure Londres lost his life at sea. His friend, M. Champly, has carried on where Londres left off, and has published a book called *The Road to Shanghai.* Champly shows that the Path of Prostitution has shifted from South America to the Far East, with Shanghai as its headquarters. The story is much the same except the dago is nowadays replaced by the yellow man.

CHAPTER XVI

DOPE

Shun drugs and drink which work the wit abuse,
Clear minds, clean bodies need no soma juice.

SIR EDWIN ARNOLD.

SINCE the days when Noah first planted a vineyard and drank of the wine and was drunken, alcoholic beverages have enjoyed world-wide popularity.

In Old Testament times, drunkenness seems to have been very common as we have the cases of Lot, Nabal and Elah, Hebrew notabilities, severely punished for their folly. Then we have Ben-Hadad, King of Syria, who was so indiscreet as to get drunk during a campaign, and Belshazzar, King of the Chaldeans, who was slain after a drunken feast.

So comparatively recently as when Queen Victoria ascended the throne things had not improved very greatly from the days of ancient Corinth. Drunkenness amongst men was too common to be considered disgraceful and even those who were considered sober men took their two or three bottles of port a day.

Times have changed, and we live in a sober age; but the traffic in drink has been succeeded by something worse —traffic in narcotic drugs.

The problem of drug addiction has long been familiar in the East.

In Northern Africa and East of Suez there is no drink problem as visualised by Western eyes as the use of drugs takes the place of alcohol in social life.

The principal drugs used are hemp and opium. Indian hemp has been employed for centuries as the favourite intoxicant in North Africa, Asia Minor and Southern Asia.

The ancient Sanscrit writers speak of "Pills of Gaiety" which were made of hemp and sugar. The Arabic name for the drug is hashish, or hasheesh, and the English word "assassin" is probably derived from the Arabic "hashishin," which signifies herb eaters, as certain bands of terrorists in Persia made use of the drug to produce a form of intoxication which rendered novices willing to carry out their murderous raids.

In North Africa, from the Atlantic to the Sahara, hemp smoking is widespread, notwithstanding the efforts of the French to suppress it. It is impossible to be long in Morocco without hearing of the bouts of inebriety from "Kif," in which not only the camel and donkey drivers but the wild men of the Riff indulge.

The drug produces a period of excitement with gay, joyful and pleasurable sensations followed by sleep, which is often attended with delightful dreams.

The drug owes much of its popularity to its reputation as an aphrodisiac, and for this purpose a cold infusion of leaves and fruit is sometimes indulged in by many people of parts of Northern India without much apparent deleterious effect.

The use of hemp is comparatively rare in Europe, and the drug does not possess the quintessence of power with which modern chemists have endowed the juice of the poppy plant and the leaves of the coca tree.

The origin of the use of opium by man is lost in the mists of time.

It was known as the "Plant of Joy" to the ancient peoples who occupied Mesopotamia four thousand years before Christ, and is specifically mentioned in some of the oldest Egyptian papyri.

Classical literature is full of references to the juice of the poppy. Helen of Troy drank it to induce forgetfulness, Virgil mentions it, and Hippocrates describes its hypnotic powers.

Obtained by drying the juice of the unripe capsules of the poppy, opium is to-day the favourite "dope" of all

Oriental peoples; but it is something more. It has been for three centuries the most important and most widely used of medicinal drugs.

Some of the most eminent physicians have gone so far as to say they could not practise without it. Sydenham introduced Tincture of Opium under the name of laudanum, and declared that "among the remedies which it has pleased Almighty God to give to man to relieve his sufferings, none is so universal and so efficacious as opium."

Haller, the poet-physician I have already referred to, wrote in praise of opium, and Lombroso tells us that he was addicted to enormous doses.

In my own early days in Ireland I knew a priest who had a great reputation as a temperance preacher and lecturer. He was a laudanum addict and used to toss off a wine glassful every time he went into the pulpit to preach or on to a platform to lecture.

Crude opium is a popular domestic remedy in the East, and my long experience in India goes to show that whatever may be the case in other countries, centuries of inherited experience have taught the people of India discretion in the use of the drug, and its misuse is a negligible feature in Indian life. Abuse of its properties is rarer in India than the abuse of alcohol in Western countries.

The sturdy Sikh peasantry of the Punjab, who furnish the Indian Army and police with some of their finest sepoys, use opium as a preventive of Malaria, with the result that they remain brisk and active in the malarial season whilst their Hindu and Mohammedan neighbours, who eschew the drug, go down like ninepins.

The use of opium to prevent chills, so popular with Indians, is followed by many British doctors. Personally, I never failed to have a grain of opium after a long day after snipe, and never had a chill, although I often had a long drive home from the *jhils*, as the bogs are called in India.

The Indians eat their opium, but in China and elsewhere it is smoked in a special pipe, and it was in its crude form that the drug not only won such high esteem as a remedy but attracted a number of what we would now call addicts, such as De Quincey.

It was not till early in the last century that the properties of opium were discovered to be due to various active principles, or alkaloids, which it contains.

In 1803 morphine, popularly called morphia, was the first of these materials to be isolated, and although many others have been discovered since that year this alkaloid is still regarded as the most important, and to-day crude opium is valued by the percentage of morphia it contains.

In 1853 the hypodermic syringe was invented, and the subcutaneous injection of morphine hydrochloride, a preparation readily soluble in water, was exploited as a rapid remedy for pain without any risk of acquiring addiction to the drug.

Doctors were so misled by clinical reports which were placed in their hands that they freely supplied instruments and morphia solutions to their patients, leaving their use to the discretion of the patients and his or her family!

The rapid effect of hypodermic injections and the greater stimulation experienced by their use soon led to the selection of this method by addicts, and this method remains to-day the favourite of the morphinomaniac.

The use of morphia hypodermically actually developed into a sort of social cult whose devotees presented each other with highly ornamented syringes and morphine containers made of gold and silver and encrusted with precious stones.

In the hands of medical men, however, this much-abused drug is still the most rapid and reliable anodyne known to science, and wounded men during the War had reason to bless the inventor.

It was our humane practice to give every severely wounded man a small dose at the Regimental Aid Posts situated

close to the front line, with the result that the journey back to the Dressing Station was made tolerable and the risk of aggravating injuries by the patient was minimized.

Morphia has still its thousands—perhaps millions—of addicts, but it has been largely ousted from popularity by the introduction of a combination of the alkaloid with acetic acid, called diacetylmorphine, and commonly known as heroin, which was first produced in London by Beckett and Wright.

This product is less poisonous than morphia and nearly four times as powerful in its action. The medicinal dose is one-eighth grain as compared with half-a-grain of morphia.

It was first introduced as a sedative for coughs of various kinds, but its activity and rapid action soon attracted the attention of the drug addict, and it has now become *par excellence* the drug of addiction the world over.

Heroin seems to get hold of its victims far more quickly than any other form of dope. It has a great advantage over morphine from the addict's point of view as the use of the hypodermic syringe is eliminated.

Syringes are awkward things to carry about, and require privacy for their use, but heroin can be snuffed up the nose and is very rapidly absorbed by the membranes of the nose and throat.

When the social evil of drug addiction was first realised, attention was directed chiefly to opium and its derivatives and the restrictions introduced in their use led to the employment of a more insidious drug, cocaine, which is an alkaloid extracted from the leaves of the coca tree, a native of Peru. The term "coca" is derived from the native word "Khoka" which means "tree of trees." The tree in its wild state is found in the Andes, but it is extensively cultivated in Bolivia and in the Far East.

The belief that chewing the leaves of the coca tree enabled the natives of Peru to resist hunger, thirst and fatigue goes back to time immemorial.

The tree was credited with divine properties by the Incas, and the use of its leaves was restricted to the priests and nobility.

But after the Conquest in the sixteenth century, the sale of the coca leaves to all and sundry was exploited by the Spaniards as a source of revenue.

Exaggerated reports as to the marvellous properties of the plant gradually filtered to Europe but they were not believed, and, indeed, the very existence of the coca tree was actually denied more than two hundred years after the Spaniards had conquered the land of its birth!

When first brought to Europe in the last century, coca leaves were utilised for an infusion like tea, and formed a constituent of medicinal wines.

It was not till 1855 that a powerful alkaloid was extracted from the leaves which combines readily with hydrochloric acid to form a bitter crystalline white powder readily soluble in water and rapidly absorbed when sniffed up the nose.

The drug did not come into general use until the 'eighties when its power as an anæsthetic to the mucous membranes of the eye, nose and throat became known to surgeons.

Physicians turned to it as a means of combating addiction to morphia.

This was a fatal step, as the morphine habit was merely replaced by addiction to the drug used to replace it.

The result has been that this newcomer in the field of dope is a very serious rival to the derivatives of opium, which, in the form of heroin, still maintain the premier place.

Cocaine fascinates by the rapidity with which it relieves exhaustion and dispels gloom by producing a delightful sensation of mental and physical vigour.

Its first ravages were amongst intellectuals, doctors, writers, artists, who used it as a cerebral stimulant. Then its use invaded other spheres. A large traffic sprang up in cocaine, and its suppression has been particularly difficult.

Thanks to the ease with which it is taken and the fact

that it can be hidden without difficulty in a bracelet with a false watch, a hollow ring, or a powder box, it has been particularly difficult to find the drug on persons suspected of carrying it.

The wholesale price of the drug is less than two pounds an ounce, and as the habitué will pay that amount for ten grains the merchant and his intermediary are able to divide a handsome profit on sales.

Such immense returns have induced the traffickers in all drugs to think out the most ingenious stratagems to escape police interference.

The drugs are very artfully secreted in parcels of newspapers, specially constructed books, toys and piece goods, and in trunks with secret compartments. Even the body of a corpse has been utilised for smuggling large quantities of cocaine and heroin from this country into France. On another occasion, a German smuggler utilised his artificial leg for getting drugs into this country!

It is well worth the distributors' while to develop even such elaborate organisations as Edgar Wallace loved to describe in order to avoid the various Acts which have been passed to regulate the importation, exportation, manufacture, sale and use of Dangerous Drugs.

Unfortunately, comparative scarcity has increased the profits of smugglers and retailers, with the result that the drug addicts probably find no difficulty in obtaining their dope, at, of course, an enhanced price.

Drug addicts are to be found in all classes of society, but they are mostly found amongst the wealthier class, as the poorer people cannot afford to indulge in this costly vice.

The fate of the actress, Billie Carlton, focused attention on the dope dens which exist in London and provincial towns, but the practice is rare in this country as compared with Paris, where the people who sleep by day and spend their nights in the cafés of Montmartre use dope to enable them to live their artificial existence.

These depraved creatures habitually "lace" their drink with drugs, and so extensive is the traffic in drugs that there is a special "anti-drug brigade" of the Paris police to deal with it.

The specialists of this "brigade" know where to look in their investigations, for their experience has taught them that "night life" and drugs usually go together, as all dope is largely used for aphrodisiac purposes.

At first the members of the brigade were able to work easily enough. They watched the places known to be sources of supply, shadowed the persons who frequented them, and sooner or later succeeded in catching them in the act of a sale, arrested both seller and buyer, and confiscated the merchandise.

Soon, however, the trafficker, who was generally a woman, presupposed police surveillance and made it extremely difficult to follow her. She would take the Underground, leave it after a few stations at a point where the density of the crowd gave her the best chance of escaping observation, hail a taxi, drive to some house with two entrances, take another taxi, and again engulf herself in the Underground. Arrived at last on the terrace of a café, she would sit down and give some preconceived signal, such as lighting a cigarette or removing her shoe. Then one of the people on the terrace would leave his or her seat, hail a taxi, and the two, buyer and seller, would enter it together. At this moment the shadower would dart forward, give the driver of the taxi the address of the Prefecture, and the game would be up, as the trafficker was found with the drug in her possession.

Of late, the merchants of dope no longer carry supplies of their wares. They work in conjunction with a flower girl or a woman selling bootlaces and this satellite carries the dope secreted in her stock-in-trade. When a buyer is found, the principal takes the money and gives an order to her shadower, who passes over some of the stuff with

her more innocent wares and then makes off as quickly as possible.

Even this dodge has been improved upon as the seller usually demands payment in advance and simply indicates to the buyer the place where the packets are hidden. It is a curious fact that the persons buying under such conditions are never cheated. Even the worst forms of commerce seem to have their traditions of honesty!

Although each country has some Statute similar to our Dangerous Drugs Act, the suppression of the improper use of narcotics, being an international question, has been handed over to the League of Nations which operates through a Special Bureau and has collected a good deal of interesting information during recent years. For instance, we hear of the activities of a factory in Holland whose illicit operations amounted to 3,350 oz. of cocaine, much of which was consigned to China. Details have also been obtained of the methods employed in the underworld for the distribution of cocaine and of the close relations existing between the cocaine traffic and the white slave traffic. Special information has been supplied as to the part sometimes played by continental retail chemists in selling dope at greatly enhanced prices. It is satisfactory to note that no practice of this kind has ever been charged against British pharmacists. Indeed, the suggestion made in the popular play, *Living Dangerously*, that narcotics are sometimes sold by British doctors has happily no foundation on fact.

The police in various countries have been very active of recent years, and some immense hauls have been taken, notably a seizure by the Secret Service Agents of the United States Government in New York Harbour of twelve packing cases containing morphine, cocaine, and heroin hidden in furs which were consigned from Constantinople, and more recently a huge seizure of Chinese heroin at Cairo which has resulted in the conviction of a number of Egyptian drug traffickers.

Barmaids are credited with a good deal of interest in this traffic, and an experienced police officer tells us of a woman in a West End bar who made huge sums of money by peddling drugs to women customers.

This is borne out by a recent newspaper report that a Cairo thief, who stole a suitcase from an Italian barmaid, to his amazement found six rubber sacks of heroin in it. He organized an extensive gang for distributing the drug, but after two police raids on suspected houses the whole gang was arrested and 17½ lbs. of heroin, worth £35,000, was seized. One of the packets was wrapped in a Chinese newspaper, which suggested the source of the drug.

The latest report on the traffic by the director of the Central Narcotics Intelligence Bureau shows that in Europe the illegal manufacture of drugs has been greatly reduced and the evil largely brought under control. Bulgaria is now almost the only European country manufacturing morphine and cocaine deliberately designed for illicit traffic. The survival of the manufacture in spite of the ostensible willingness of the Bulgarian Government to suppress it seems to be due to the occult influence of various Macedonian organisations. But a fresh danger has arisen in the Far East, where in Manchuria a new field of drug traffic is being opened up, which may in time become a menace to the world. What appears to be a government opium monopoly is functioning in Manchuria, and this encourages the growth of the local product and the import of Persian opium.

The effects of the limitation of the drug traffic are evident in Egypt, where "white drugs" are now available only in an extremely adulterated form, and the traffickers are turning their attention mainly to opium and hashish. The latter comes chiefly from Turkey and Syria, of which the former is the chief purveyor. It is hoped that, owing to the energetic attitude of the Turkish authorities toward the drug traffic, the cultivation of hashish may be gradually

controlled. Syria has already taken effective steps to prevent it. A danger arises from the existence in Greece of a large body of professional smugglers, many of whom have been deported from Egypt but still carry on their trade from the Piraeus and the Greek islands. However, the Egyptian statistics of drug addicts are encouraging. Within the last five years the number of drug addicts among the convicts of Egyptian prisons has been reduced from upwards of six thousand to under seven hundred.

The drug traffic and the white slave traffic are, as we have seen, closely allied, and the persons who traffic in women seem to add dope to their activities as a profitable side line.

As factories are being closed down in the older countries, new ones with the most modern equipment are springing up in the newer countries, such as Manchukuo, which is now the danger centre of the whole trade.

This is very similar to the experience I have outlined with regard to the traffic in women.

The older "firms" in South America seem to be closing down, only to be replaced by new organisations in the Far East, where, as mentioned at the end of the last chapter, yellow men are supplanting the dago in their interest in white women.

A remarkable book by James S. Lee, entitled *The Underworld of the East*, has recently been published.

The writer at the outset of his book tells us that during thirty years he was a constant user of drugs of many kinds, but owing to a system of using a variety of drugs which he learnt from an Indian doctor he was able to employ large doses of drugs, and still remain in good health.

Mr. Lee's experiences show the drug habit in an entirely new aspect.

For many years he used morphia, cocaine, hashish, opium, and a good many other drugs, both singly and in combination.

"The doses which I became able to take," he says, "after so many years of the habit, may seem almost impossible, yet it is a fact that I have increased my dose gradually, until I could inject eighty grains of pure cocaine a day; sufficient to kill many persons, if divided amongst them.

"At other times when I favoured morphia, I have injected as much as ten grains per day, although the medical dose is a quarter of a grain!"

Mr. Lee makes the startling statement that "the life of a drug taker can be a happy one; far surpassing that of any other, or it can be one of suffering and misery; it depends on the user's knowledge. The most interesting period will only be reached after many years, and then only if perfect health has been retained; using several kinds of drugs (for one drug alone spells disaster), and increasing the doses in a carefully thought-out system.

"Waking visions," he informs us, "will then begin to appear when under the influence of very large doses, and it is these visions which are so interesting.

"I have sat up through the night," he says, "taking drugs until the room has been peopled with spirits. They may be horrible, grotesque, or beautiful, according to the nature of the drugs producing them. Strange scenes have been enacted before my eyes; scenes which were very real and lifelike."

When the Dangerous Drugs Act came into force Mr. Lee gave up using all drugs, because the danger and risk of obtaining them was too great. "The paltry quantities, about which the authorities make such a fuss," he says, "were of no use to me, and I was able to give them up without any trouble or suffering."

His story he declares will be as a message of hope to all drug addicts as the cure is easy, but not, he explains, "by the method generally adopted, that of gradually reducing the dose; a method which will only cause intense suffering, and sometimes even death."

This amazing human document continues:—

"A single drug, used by itself, cannot be continued with for so long as a combination of two or more drugs. The former will quickly ruin the health, because the action is always in one direction.

No wonder the drug habit is considered so deadly, and makes so many mental and physical wrecks.

A person uses cocaine only for several months, or a year say. He uses it continuously without any other drug to correct its action from always being in the same direction. He is in a constant state of exhilaration and stimulation of the nervous system. He hardly ever sleeps because cocaine banishes sleep, neither does he ever feel hungry, because one of the attributes of this drug is to banish hunger.

He soon becomes like a living skeleton, although appearing to be full of life and energy to the last, but it is false energy; just the effect of the cocaine, using up his nervous energy at a greater rate than his system is making it.

Soon a complete collapse must occur.

It is the same with morphia, only the result is brought about in the reverse direction. The morphia-user lives in a pleasant, dreamy state, of soothing comfort and reduced heart's action, which in time gradually makes him almost dead to everything in the world but morphia.

A confirmed morphia addict of long standing loses all sex instinct and feeling; although this is not permanent, it returns when the drug is given up, or if cocaine is substituted.

Cocaine, on the other hand, will, in time, if used entirely alone, produce a kind of sex mania."

Mr. Lee tells us that he has come in contact with thousands of drug addicts in India, China, Japan, the Malay Archipelago and other parts of the world, and has a good deal to say about them.

I am tempted to quote further from this startling story, but it sounds so incredible that my readers must read it for themselves.

CHAPTER XVII

MURDER OF THE MIND

There is no terror, Cassius, in your threats,
For I am arm'd so strong in honesty
That they pass by me as the idle wind,
Which I respect not.

JULIUS CAESAR.

IT is not generally known that the word blackmail has had three distinct meanings.

It was originally used to describe payments made in labour, corn or "black" money, to distinguish them from payments in white, or silver, coin.

Later it signified a "rent," or tribute, formerly extorted from the peace-abiding farmers and peasantry by the "Moss Troopers," or Scottish freebooting chiefs, on both the English and the Highland borders. It was very similar to the "gifts" now made to the turbulent Pathan tribes on the North-West frontier of India, as it secured immunity not only from the raids of the robbers themselves but enlisted their aid in repelling the attacks of less organised roving bands of brigands.

In this sense, blackmail is mentioned by historians as early as 1552, and although the custom was made a felony in 1601 and disappeared in the neighbourhood of the Tweed about the time of the Union with Scotland, it continued to be exacted along the Highland border until about the middle of the eighteenth century. The celebrated Rob Roy was about this period a notable levier of blackmail in the southern Highlands and adjacent Lowlands.

Scott refers to the practice when he writes, "The boldest of them will never steal a hoof from any one that pays blackmail to Vich Ian Vohr."

The third and modern signification of the word—blackmail—is the extortion of hush money, or goods, on threats of accusation for some real or imaginary crime. This is a felony, and is regarded with great severity by all who are concerned with the administration of justice in all countries.

Curiously enough, the criminal law does not employ the actual word, but it is freely used in the Courts as equivalent to, and synonymous with, extortion, i.e. the exaction of money either for the performance of a duty, the prevention of an injury, or the exercise of an influence.

Extortion, in the legal sense, presupposes the service to be unlawful, and the payment to be made under duress.

Now there are few people who have not at some time or other been involved in some incidents or transactions to which they are unable to look back with any degree of satisfaction, and which, if they came to light, might easily place them in an unfavourable aspect in the eyes of their enemies or even their friends.

Unhappily, letters or other forms of evidence not infrequently get into the hands of unscrupulous persons who trade on their possession to extract money or other benefits as the price of silence.

There are comparatively few people who realise that the information possessed by the blackmailer becomes valueless the moment she discloses it, and that disclosure is the last thing she wishes to resort to, as by so doing she effectively kills the goose which too often lays golden eggs for years.

For this reason the best attitude to adopt when threatened is to ignore the blackmailer completely and entirely.

In this respect these unpleasant people are very like Irish beggars, who will pester visitors for long periods if any notice is taken of their whining appeals.

If their victims will only take no notice of them, and walk on as if they did not even see them, the beggars' *amour propre* is aroused and he or she will soon depart in high dudgeon and with perhaps a muttered curse or two.

If, however, the person threatened wishes to bring his or her persecutor to justice, it should be remembered that the fact whether he or she has committed the crime of which he or she is accused in no way affects the guilt of the "blackmailer."

Although a person who is conscious of guilt is much more likely to become a victim to persecution of this kind which may last for years with impunity, the law realises that if mud is thrown some of it will stick, and for this reason an innocent person will often submit to threats as he well knows that many people believe in the adage that where there is no fire there will be no smoke.

The crime varies a good deal in character, and may consist of demanding money or any valuable thing with menaces, publishing or threatening to publish a libel, or offering to prevent the publication of defamatory matter either with a view of extracting money or valuables or inducing the victim to confer, or procure, a profitable situation for some friend or protégée of the blackmailer.

Curiously enough the present law with regard to blackmail is contained in a comparatively recent Statute, the Larceny Act.

This Statute lays down that every person who utters, knowing its contents, any letter, or writing, either demanding with menaces, and without reasonable cause, any property or valuable thing, or accusing, or threatening to accuse, any person of a crime with intent to extort money or valuables, is guilty of felony, and liable to penal servitude for life.

The law further provides that every one who, with intent to extort any valuable thing for him or herself or to induce any person to confer, or procure, an appointment or office of profit or trust for another, publishes, or threatens to publish, a libel, or offers to abstain from or prevent the publication of any libellous matter, is guilty of a misdemeanour and liable to imprisonment with or without hard labour up to a period of two years.

The career of a blackmailer offers "easy money" to a great many unscrupulous women.

Sometimes the creatures who adopt this mode of life work on their own, but at others they act as decoys for organised gangs of blackmailers.

Not infrequently they merely sell the letters or other evidence they acquire to experts in this form of crime who are up to every dodge of extracting money at the minimum of risk to themselves.

A common type is the girl, or young married woman, who makes friendships with men, leading them to believe that she is willing to become their mistress.

Eventually, the man asks the object of his affections to supper in a private room at a hotel, but when he makes advances she pretends to be very indignant, and threatens to report him to the hotel manager and the police.

The difficulty is eventually settled by a money payment, and if the man is married the girl, or young matron has got him in her power, especially if, as is usually the case, she induces him to give her a cheque, which is held over his head as a document of evidence.

These victims are usually young men, but still more profitable dupes are elderly married men with wives and families.

The woman, who is always attractive and well-dressed, meets her prey in a train or bus or at some form of entertainment, and, getting him into conversation, appears to be greatly attracted by her elderly admirer, flatters his vanity and soon induces him to meet her alone for dinners and dances.

Eventually they go off for a week-end together and the woman has the man in her clutches.

Sometimes a dramatic meeting with the blackmailer's real, or supposed husband, is staged.

But whether this is arranged or not, the harpy soon begins to ask for money.

Her infatuated swain pays up for a time, but demands become more frequent, and he eventually realises that he is expected to provide her with a pension for life.

At last he kicks, and then his charmer shows her teeth.

She threatens to show him up to his family.

As often as not, there are incriminating letters which have been carefully preserved.

An exorbitant price is asked for these documents, and, as often as not, the poor victim, fearing that disclosure will wreck his home, pays, pays, pays.

Here is a case in point which happened recently. Mr. A. and his wife went on one of those cruises which have become so popular nowadays.

Mr. A. was a well-preserved professional man in the middle fifties, and his wife a lady about the same age, who had not worn anything like so well.

They struck up an acquaintance with a fellow passenger, Mrs. B., a beautiful and well-dressed woman who confessed to thirty summers but looked younger. She said she was home from India where her husband was a partner in a Calcutta firm, and had taken the voyage to recover from an illness.

Mrs. B. showed a partiality for the company of middle-aged people, and declared that the younger men, who formed the bulk of the male members of the cruising party, bored her.

Mrs. A. had spent her life in a London suburb, and her limited outlook on life made her a somewhat dull consort for her husband, who was a man of liberal education.

Moreover, she was not a good sailor, so that Mr. A. was thrown a great deal into the companionship of Mrs. B., who seemed to reciprocate his interest in her.

The friendship ripened in the intimate and idle atmosphere of board-ship life into something more than a flirtation, and when the voyage was over Mr. A. found life in

his suburban home very dull after the allurements and sparkling conversation of Mrs. B.

The two friends met frequently, and soon spent a week-end together at Brighton.

Then Mr. A. was told that remittances from India had not arrived and was asked for a substantial loan, which was gladly given.

This was soon followed by further demands, and before long Mr. A. found his lady friend a very expensive luxury, and financial ruin staring him in the face.

But exposure would have meant rupture with his wife, who had a substantial private income, and possible professional odium, so he went on paying.

It was not till after his sudden death, brought about largely by worry and excitement, that it came to light that Mrs. B. was the divorced wife of an army officer who made a speciality of ensnaring elderly men and ruining them by her extravagant demands under threats of exposure.

If Mr. A. had had the good sense to go to a good lawyer, he would have learnt that prosecution of the blackmailer need not necessarily have involved the exposure he dreaded, as it is now the wise and universal practice of the Police Courts in actions for blackmail for the presiding magistrate to request the Press not to publish the name of the prosecutor, who is usually described as "Mr. X."

To the great credit of our enlightened modern Press, it is now the universal practice of reporters to comply with such requests from the Bench.

It might be thought that this excellent innovation would prevent the growth of this detestable and despicable crime, but as a matter of fact it flourishes, like every other foulsome weed.

Hardly a day passes that the newspapers do not contain reports of cases of this nature, and as merely an infinitesimal fraction of cases actually come to light there is no sort of

doubt that a large section of the community live miserable lives under the shadow of the threats of the blackmailer.

But it is a mistake to imagine that the female blackmailer confines her attention to the opposite sex. Ellen Wilkinson has shown that she uses her malign influence with deadly effect against her very poor sisters.

There is a class of woman who makes a steady little income by making small loans and doing little services to the wives of working men in working-class neighbourhoods. Under the guise of friendly help, these harpies get the poor women completely under their control. Their charges are exorbitant, but if the victim tries to shake herself free, the blackmailer shows her teeth and the poor woman soon knows she is in her power, for she risks losing everything.

If the man is on the employment exchange, or the family is getting public relief of any kind, a clever anonymous letter will unfortunately always breed suspicion, which, after incomplete investigation, may actually lead to the stoppage of the much-needed help.

Charitable and public help committees of all kinds are so overwhelmed these days that in desperation they demand a standard not only of character, but of detailed conduct, that a bench of bishops would find it difficult to maintain.

A quiet word dropped at the right moment, in the right place, in a community suspicious and jealous to a degree, starts a scandal which loses nothing as it passes from mouth to mouth. These are the weapons of these female tyrants, and the poor creatures who get into their power know they cannot be fought.

Much as we may pity the amorous youngster or the elderly gallant who falls into the clutches of some unscrupulous woman, a thousand times worse is the fate of the poor artisan's wife who becomes the victim of one of these extortioners who prey on the little innocent failings of their own sex.

The man has usually been guilty of indiscreet, and, too

often, immoral conduct, yet the law protects him, and justice awaits him if he will only seek it.

It is different with the woman victim of the woman blackmailer. The lowest courts of the land are beyond her reach, for she can prove nothing against the vampire who preys on her.

Here is a sphere of activity for the social worker who should realise that underlying the distress in many of the homes of the unemployed lies this toll which is exacted from mothers and wives for no greater sin than allowing themselves to be helped in times of trouble by that murderer of the soul—the woman blackmailer.

CHAPTER XVIII

PERVERTS IN PETTICOATS

In the heavens above
The angels, whispering to one another,
Can find, amid their burning terms of love,
None so devotional as that of "mother."

EDGAR ALLAN POE.

THE maternal instinct is one of the most beautiful characteristics of the animal world. It invests the whole sex with an attitude towards its young and helpless offspring which inspires supreme acts of devotion and self-sacrifice.

A bird will sit on its eggs till it starves to death; the pelican was believed to wound its own breast to provide its young with food, and wild animals of every kind will expose themselves to any risks to provide their young with food or to defend them against attack.

Generally speaking, this maternal instinct is reserved for the mother's own offspring, but often an animal will voluntarily become the foster parent of the young of an entirely different species.

We have the classical example of the wolf who suckled the founders of Ancient Rome imitated by wolves in various parts of India, and a recent film records the upbringing of a boy by lions in East Africa.

This instinct is so general throughout the brute creation that it is amazing to find it almost completely absent from the breasts of some women.

Soldiers always, and men generally, are proverbially kind to children.

Much of the popularity of the British Army in France was due to the way in which our "Tommies," and their

AN INDIAN WOMAN GODDESS

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officers, spoilt the children of our warm-hearted French allies.

It is, however, a curious commentary on our modern civilisation, and a matter of astonishment to many people, and especially to those who are naturally kind and sympathetic, that in the twentieth century, in a land boasting of its civilisation, proud of its scientific attainments, its educational facilities and religious advantages, cruelty to children should be common.

It will come as a shock to them, and send a spasm of pain through the hearts of most kind-hearted people, that only last year upwards of 44,000 cases of callous cruelty were reported, and that it was necessary for the National Society for Prevention of Cruelty to Children to intervene on behalf of nearly a hundred thousand children !

These cases have occurred not only in large towns and cities, but in country districts.

The worst offenders have been women who have not only displayed indifference to the dainty touch of baby fingers, but taken fiendish pleasure in dealing out refinements of cruelty to the helpless little morsels of humanity committed to their care.

I think only a passing reference is required to those cases where an unmarried woman gets rid of her offspring at a moment of supreme weakness and at peril to her own health. The law for some years past has regarded with sympathy those women who have yielded to a momentary impulse and placed themselves in a terrible position, often for no other reason than the fear of losing their employment. These women, usually of the domestic servant type, are to be pitied rather than blamed.

It is different in the case of an abnormal type of children's nurse who metes out to the youngsters under her charge all sorts of petty cruelties to balance the injustices she imagines she has suffered at the hands of the children's parents.

These creatures pass on to the unfortunate inmates of the nurseries they control with implacable regularity, every severity, every change of temper, every imagined humiliation they have suffered from the poor children's fathers and mothers. Usually these hidden reprisals are limited to petty matters—food badly prepared, served cold or too hot, wilful negligence in the matter of personal cleanliness, and such like ; but now and then a monster in petticoats appears who derives pleasure from inflicting physical cruelty on her young charges.

Fortunately, in this country, these women stop short of actual murder; but, on the other side of the Channel, there is a well-known case of a young Belgian girl of fifteen, engaged by a family at Lille to take care of two little children of four and five years of age. She poisoned these unfortunate little ones with phosphorus obtained from a box of matches. When charged with the crime, this female fiend stated that she was bored and had committed this double murder solely to observe the effect of the match heads on the children!

Another recorded case is that of a nurse-girl who stifled her little charge under a mattress because she had read in a book that it is difficult to differentiate between natural death and suffocation. She smothered the unfortunate child in order to enjoy the effects of the pressure of the mattress on the child's body.

Modern science indicates that these women are fitter subjects for the doctor than the jailor. Sexual inversion frequently reveals itself by inflicting pain on others.

Most of the women and girls who have been guilty of these foul crimes are now regarded by doctors as sexual perverts. They have derived sexual pleasure from their loathsome deeds of cruelty.

Just one more example of crime of this character. In a French provincial town, a baby of eleven months disappeared mysteriously from her cradle, and all search for

her was in vain. The father and mother were arrested on suspicion. During the course of the inquiry the nurse-maid confessed that she had thrown the child into the river in order to observe the splash, and to see how often the body would bob up through the water!

In this country, about sixty years ago, scandals connected with the "farming" of babies led to the suspicion that, especially in the case of illegitimate children, an early death was desired, if not directly brought about by the baby farmers. It transpired that the parents paid a lump sum down to these "farmers" for the future care of the infants and that no questions were asked as to their subsequent fate.

In cases brought before the courts it came to light that in many cases shameful neglect was common, and proper nursing very rare.

The State—none too soon—stepped in to protect children from their own parents.

We had a bad legal history in respect to our regard for child-life, as in byegone days our Courts of Law had shown very little of that kindness to little children which was taught by Christ Himself. In the eighteenth century we find Sir Matthew Hale, who, beside being Lord Chief Justice, was the author of numerous books on religious subjects, sentencing a little boy of ten to be hanged!

Indeed, it has been aptly remarked that the less said the better about our English judicial system prior to the middle of the last century.

So comparatively recently as 1833, a child of nine was convicted of housebreaking and sentenced to death for poking a stick through a patched-up pane of glass in a window and stealing a few trifling objects.

In little more than fifty years, however, a great change came over our mental outlook on child-life. This was evidenced by the first Act for the Prevention of Cruelty to Children, which was passed in 1889. This Statute made

it an offence for persons, having the custody of a child, to treat it in a manner likely to cause it suffering or injury to its health. The first conviction under the new Act followed a prosecution at Halifax in September of the same year.

Successive Acts improving on the measures of protection in the original Statute were passed in 1894 and 1904. At last, in 1908, the famous Children's Act was passed which is popularly known as the Children's Charter. This Act set up the Juvenile Courts for the trial of young delinquents, and brought about other noteworthy changes.

Even this comprehensive "Charter" was not enough, and further parliamentary interference was necessary, with the result that the Children and Young Persons' Act, 1932, embodies a great many measures for the welfare of young people and strengthens the position of the Children's Courts.

Many, if not most, of the reforms which have been brought about are due to the energetic work of the National Society for the Prevention of Cruelty to Children, which has been given a general authorisation by the Home Secretary to act when necessary in the interest of children.

The new Act makes it possible for an officer of the Society to bring before a Juvenile Court any young person under the age of seventeen, who, having a parent who is not exercising proper care and guardianship, is falling into bad associations or is exposed to moral danger. The Court has power to determine the child's future and may decide to place him or her in an approved school or to transfer his or her custody to some other fit person, or may leave him or her at home under the permanent supervision of some responsible person other than its parents.

This measure may be regarded as epoch-making as it enables the Courts to give protection to children without the necessity of charging their parents with criminal offences.

The Children and Young Persons' Act, 1932, goes far beyond the early work—perhaps even beyond the dreams —of the pioneers in child welfare. It is, indisputably, the outstanding attainment of two decades.

In this Act two classes of children are marked out for special regard. Juvenile delinquents and illegitimate children have for years been subconsciously regarded as heirs to penalties that might with greater justice have been shared by the community. Most children brought before the Juvenile Courts owe their presence there either to the forces of heredity or environment, or else to mere animal spirits. Those who are assigned to hear the charges against such children need special qualities. A leniency born of understanding can be far removed from mere sentimentality. The new Act, together with the compulsory presence of women magistrates, does much to achieve this end.

The unwanted child receives protection long denied it. It is no longer possible for anonymous advertisers to tempt mothers to part with their children for a lump sum down or send them to baby farmers as cheap boarders. All such transactions in future must be with the consent of the Local Authority, which has the duty of supervising the homes to which the children go.

In addition to all these safeguards, it is now possible for a respectable person to take before a Juvenile Court a child who, through lack of proper parental control, is in danger of falling into bad associations. The Court has power to send the child to a Home Office School, to place it with relatives, or other fit persons, or order it to remain under permanent probation. No other measure of such importance to future citizens has been placed on the Statute Book in our time.

A good many people have asked the question, "What is the need for all this legislation?" as they are under the impression that cruelty to helpless children has long ceased to exist.

Even a cursory study of the records of the National Society for the Prevention of Cruelty to Children will soon dispel this comfortable illusion.

Day in and day out, in every part of the country, cases of cruelty to young children, and even to babies a few days or a few weeks old, are brought to light. These poor little beings are made to pass through sufferings almost inconceivable to the ordinary mind.

For instance, quite recently three children, a little girl aged nine, a boy of seven, and a girl of five were subjected to mental and bodily treatment which was compared in open court to the horrors of the Spanish Inquisition.

For hours at a stretch, day after day, these unfortunate children were made to stand in a passage looking at a blank wall. If they dared to move they were told to turn their heads to the wall again. On one occasion these three children were made to stand in this position from 9.30 a.m. to 9 p.m.—eleven-and-a-half hours—and when a good neighbour, out of sympathy, offered the boy a piece of bread and jam, its fond parent said, "If he takes it from you, I will kick it out of his . . . hand."

This fiendish treatment was meted out to these unfortunate children during the whole of their holidays!

Another instance recently reported in the courts was that a little boy of nine was subjected to almost incredible ill-treatment by his parents. This poor little chap was tied up in an outhouse in a manner which would not be utilised by the most careless of owners for a vicious dog.

He was found in a coal house partly suspended by a chain from the roof. His hands were tied behind his back and there was a stick through his arms. Round the right arm and the stick was a chain, the left arm being secured by a piece of string. It was not possible for the boy to free himself—his head was hanging on his chest.

The poor little chap was found in this condition on a bitterly cold day, weeping quietly. He was completely

exhausted, and the doctor to whom he was taken gave him warm milk and biscuits. This tortured future citizen was described by a medical witness as being a stone under weight, puny, morose and cowed. There was a discolouration of the left eye, both shoulders were bruised, both feet swollen, and on one leg was a bruise about three inches square.

The boy, who attended court in charge of a nurse, told his own story, in which he explained that his brother and sister were suffering from whooping-cough, and he had not been allowed to attend school. His prolonged presence at home was resented, and he was turned out of bed at 6 a.m. and given a slice of dry bread and water for his breakfast. His father and mother took turns in tying him up, sometimes in the chicken-house and sometimes in the coal-house. He was fastened by some band to a nail at the top of the shed and his legs were tied together. Then the door was locked and he was left in this position all day, often without any dinner!

This unhappy and ill-used child was taken from the custody of his inhuman parents, both of whom were prosecuted and sent to prison, the chairman of the magistrates observing: "It is one of the worst cases of cruelty I have ever had to deal with."

Here is another harrowing tale of a little boy of three and a half years. The lad lived with his father and sisters. His mother was dead, and he was looked after by his father's "housekeeper." The boy was not wanted and came under the Society's notice because of his physical condition. He was in a poor state of health, miserable and ill-nourished. A warning was given that he should receive medical attention, but this was not complied with and the Society had to bring pressure to bear, with the result that the child was taken to a Clinic where he received suitable treatment.

Sometimes the cruelty to children consists of acts of omission. For example, a boy, two years old, was found

in a most emaciated and debilitated condition because no attempt had been made to obtain proper medical attention for a disease from which he was suffering.

The National Society for the Prevention of Cruelty to Children got to hear of what was happening, and the boy was removed from his neglectful guardian and placed under care where he received the treatment he so much needed.

From these stories the sad truth emerges that notwithstanding the legal provisions made for the protection of children which are wide and exacting, alas! they are frequently evaded, with the result that no small proportion of the population of women's prisons is provided by women who have committed offences against children.

It is abundantly evident that the women sentenced for this offence are mostly highly-strung individuals whose nerves and tempers have given way under the accumulated strain of repeated child-bearing and miserable and crowded housing conditions.

But it is also clear that the curious sexual perversion which owes its name to the notorious Marquis de Sade is common amongst women, and that they gratify their perverted instincts by cruelty on helpless children.

CHAPTER XIX

THE WOMAN QUACK

The two sources of all quack-talent are cunning and impudence.

CARLYLE.

ONE evening at Gray's Inn, after dinner, a discussion arose as to what trade or profession was most pirated. A lady barrister maintained that medicine had the largest number of amateur professors, and offered to prove her assertion.

The next morning she left her flat at Earl's Court holding her hand against her cheek. The first friend she met asked her what was wrong. She answered, "I have a terrible toothache." "Ah, my dear," said the other, "I know the best treatment for that; do so and so and you will be cured." She wrote her name in a notebook, pretending to make a note of the treatment. Everyone she met offered her some cure or other, each different from all the others, but declared to have been thoroughly tried and to be infallible.

When she reached her chambers in the Temple, the barristers who shared them surrounded her, each one eager to offer advice. That evening she came to Hall for dinner, and the barrister who had disputed her claim the previous evening at once called out, "What is the trouble, Miss Jones?" The lady replied that she had a toothache; whereupon her friend said: "I know something that will stop the pain; do this and that and at once you will be cured." The lady removed her hand from her cheek, saying, "You, too, my friend, are a doctor. Your remedy is the fortieth that has been prescribed for me to-day. Every one in the Inns of Court thinks he is a

physician. Can you find more people practising any other profession?"

This little story suggests that the doctor's trade has most amateur practitioners and that most of the lay public —even lawyers—are would-be physicians at heart.

To illustrate the idea that most people are potential quacks, just start a medical discussion at an informal supper party after the theatre. Quite logically the conversation drifts to a discussion on the indigestibility of midnight meals. The man on your right begins by laying down the law as to what should be eaten on such occasions. Shellfish and milk at the same meal, he affirms, invariably lead to severe indigestion; it is a mixture always avoided by him. After delivering this profound dictum he calmly proceeds to eat the dish laid before him, apparently oblivious of the fact that it is a mixture of lobster and milk.

The man on your left takes up the conversation with the statement that the cause of most indigestion lies in the pernicious habit of drinking between meals. Every one in the circle nods agreement, apparently blind to the fact that every one of them had consumed one or more drinks during the entr'acte.

A lady across the table has heard somewhere the absurd dietetic fallacy that carbohydrates and proteins should not be eaten at the same meal. She has no more knowledge of the physiology of digestion than an infant in arms, but she believes what she hears. Protein, she knows, is in meat, and she is wondering whether lobster falls into that category. To play safe, she sticks to her carbohydrates, munching her bread, happy in her ignorance of the fact that this "staff of life" contains nearly half as much protein by weight as does meat.

Quackery may be defined as all those devices which tend to deceive the public by disseminating false ideas of disease, which vaunt certain medicines or methods of

treatment as "cure-alls," or which attribute to an individual a supernatural or exceptional power of influencing and curing disease. Pecuniary gain or personal vainglory are always the aims of the quack, as opposed to the singleness of purpose and devotion to the interests of the patient which are traditionally held to be the guiding principles of the medical profession.

The quack explains the fact that her methods are not accepted by orthodox practitioners by the trade-unionism of a protected calling. She asserts that doctors and dentists refuse to accept any ideas that originate among outsiders. This is not true; indeed, there are many instances to the contrary. For example, Pasteur, who laid the foundations for the modern science of bacteriology and originated the present treatment against hydrophobia or rabies, was not a physician; he was a chemist.

One aspect of quackery is very striking to any one who takes any interest in the subject. Every form of quackery that exists to-day is simply a revival of some discarded practice of the doctors of bygone days. Often it is merely sixteenth-century methods revived in the twentieth century. Whatever form it takes, it relies for its effect on the imagination of the patient.

The work Quack is an abbreviation of the Dutch word Quacksalver.

The first part of the word is derived from the loud but unmusical note of the duck, which typifies the raucous and blatant tones in which the itinerant drug seller proclaims the merits of his wares at the street corner.

The equivalent term, charlatan, which we have adopted from the French, has a similar derivation as it is derived from the Italian verb, ciarlare, to chatter.

In more ancient days the loquacity and persistence were verbal; now they are both verbal and literary, as is shown in the deluge of advertisements with which medical quacks flood the world. Many newspapers, reaping the harvests

they do from such advertisements, make little attempt to control the claims of impostors; but more public-spirited Press men have found rare sport for their pens in exposing quacks and their ways.

The eighteenth century was the Golden Age of the Quack in this country, and Europe generally.

They shared some reflected glory from the high status of the physician of the period which was, if anything, better than it is to-day. In some countries, he wore a sword, his colour was the "austere scarlet," and people commonly took off their hats to him. He was a great dandy, carried a gold-headed cane, and often bore a muff to preserve his delicacy of touch in diagnosis!

Each of these great men stood upon a pedestal all his own, and often "let it be known" that he was in possession of private and secret remedies which were superior to all others. Practice was inherited from father to son, or passed on to favourite pupils, so that a good deal of elegant leisure was enjoyed by the well-to-do members of the profession, giving them exceptional opportunities for the acquisition of culture. Arbuthnot, Garth, and other physicians of Queen Anne's reign were not only the intimates of the wits and poets of the period, but men of letters themselves. In this country, Goldsmith, Mark Akenside and Sir Richard Blackmore were medical graduates, whilst in Germany Lessing and Schiller had studied medicine, and in Switzerland the poet Haller was a professor of medicine.

In the shadow of these great men and whilst scientific medicine was making real headway, quackery became not only universal but universally successful.

Far from being confined to the illiterate and vulgar, highly educated persons and even royalty itself set the fashion by lending its patronage to notorious charlatans, and the "profession" must have been greatly heartened by the amazing careers of individuals such as Sir William Read who gained the good graces of Queen Anne. Read

started in life as a tailor, but set up as an oculist in the Strand and hired some one to write a book on eye diseases under his name, and a poet to praise him in verse.

He was actually knighted and gazetted oculist to George I.

Read frequented the society of Swift and the other coffee-house wits, who made fun of him while accepting his lavish hospitality, and he is even mentioned in the *Spectator*.

Indeed, the essayists of the period found excellent "copy" in the antics of the quacks. For instance, in the *Tatler* we are told that "when our whole island was shaken with an earthquake some years ago, there was an impudent mountebank who sold pills, which, as he told the country people, were very good against an earthquake."

In the *Citizen of the World*, Goldsmith pokes gentle fun at them, making his visitor from China say, "Whatever may be the merits of the English in other sciences, they seem peculiarly excellent in the art of healing. There is scarcely a disorder incident to humanity against which they are not possessed with a most infallible antidote. The professors of other arts confess the inevitable intricacies of things, talk with doubt, and decide with hesitation. But doubting is entirely unknown in medicine; the advertising professors here delight in cases of difficulty; be the disorders ever so desperate or radical, you will find numbers in every street, who, by levelling a pill at the part affected, promise a certain cure without loss of time, knowledge of a bedfellow, or hindrance of business. When I consider the assiduity of this profession their benevolence amazes me. They not only in general give their medicines for half value, but use the mose persuasive remonstrances to induce the sick to come and be cured. Surely there must be something strangely obstinate in an English patient who refuses so much health upon such easy terms."

But even the most famous of the men quacks were outshone by their female rivals, notably Mrs. Mapp, who

after leading a wandering life for some time settled down at Epsom, then, as now, a popular health resort.

She journeyed to town twice a week in a coach-and-four, and, at the Grecian Coffee House, operated on her town patients, carrying their crutches back to Epsom as trophies of her skill. During one of these visits she was called in to the aid of Sir Hans Sloane's niece, and the success she met with on this occasion became the talk of the town. A comedy called *The Husband's Relief;* or, *The Female Bone-setter and the Worm Doctor,* was brought out at the theatre in Lincoln's Inn Fields. Mrs. Mapp attended the first performance, accompanied by Ward, another quack, who will be noticed presently. A song in her praise was sung, of which one verse runs:—

> You doctors of London, who puzzle your pates
> To ride in your coaches and purchase estates;
> Give over, for shame, for your pride has a fall,
> And the doctress of Epsom has outdone you all.

Many remarkable cures effected by her are noted in the public journals of the day, and there is no doubt that she was in the receipt of a very large income.

Mrs. Mapp is immortalised in Hogarth's engraving, "The Undertakers' Arms." She is the central figure of the upper triad, and is arrayed in a harlequin jacket. She is described as an Amazonian quack-doctress, whose strength of arm was equalled only by her strength of language. Some of her sayings are still extant in tradition, but they would not bear quoting.

Another famous charlatan Jane, or Joanna, Stevens, a widow, came into the limelight with a remedy for stone which was taken up by some of the most celebrated doctors of her day. The cures reported made such an impression on all classes of the community that the recipe was actually purchased for the benefit of the public by Act of Parliament in 1739 for the sum of £5,000!

The prescription for this precious nostrum was published in the *London Gazette* in June, 1739, and turned out to be a set of mixtures of egg-shells, garden snails, swines' cresses, soap and such vegetable ingredients as burdock seeds, hips and haws.

Later on it transpired that in each one of this woman's certified "cures," the stone alleged to have been removed was found in the bladder after death.

But not all the remedies of the old quacks were worthless. There was a famous fellow called Ward of this period who started in life as a drysalter, tried politics without success and eventually made his fortune by selling what we would now call his patent medicines.

The great Duke of Marlborough was not only one of his grateful patients but during the campaigns in Europe lost no opportunity of advertising Ward's remedies, some of which found their way into the London Pharmacopœia.

One of these, Ward's paste for Piles, a confection of pepper, was still largely prescribed in my early days in Ireland, and another, his Essence for Headache, still figures in the British Pharmacopœia as compound camphor liniment, though no longer as a cure for headaches.

It is a valuable liniment.

Ward was specially exempted from the penalties of the Parliamentary Act of 1748 which restricted the practice of medicine. In his will he had the audacity to request to be buried in Westminster Abbey. Pope, however, gave him lasting fame in the couplet:

> Of late, without the least pretence to skill,
> Ward's grown a famed physician by a pill.

The faith cure without the use of drugs had many exponents then, as it has to-day, and a Mr. and Mrs. Loutherbourg acquired an enormous following by an old method of curing disease, merely stroking the painful or diseased part. They were besieged by great crowds of

patients whom they professed to treat gratis, declining to take any fee whatever, but it was discovered that they were in collusion with certain agents who sold their "free" tickets for whatever they could get.

Quackery became in some instances the amusement of practical jokers of noble rank as we are told that the witty and dissolute Earl of Rochester diverted himself by hiring a stall on Tower Hill, where he practised as a quack doctor, selling cosmetics and remedies for female complaints for which he made the most preposterous and amusing claims.

But there were not only noble but royal quacks as the Kings and Queens of England from the time of Edward III practised "Touching" for scrofula, or tuberculosis of the lympathic glands, which for this reason became known as the King's Evil. The glands of the neck were more frequently affected, suppurated and caused great disfigurement. The condition was very common when I was a boy. Nowadays the glands still become inflamed, but with judicious anti-tubercular treatment usually subside.

It has been suggested that the Stuart sovereigns chose scrofula as the one disease upon which to exhibit their claim to divine power because, in the extreme forms in which it was manifested in their day, it bore a resemblance to leprosy. Now leprosy since Biblical days has been a disease set apart from all others, and till quite modern times it was believed that it could only be treated by divine intervention. The Law of Moses laid down that "When the plague of leprosy is in a man, then he shall be brought unto the priest." And St. Luke tells us that, "When Jesus was in a certain city, behold a man full of leprosy; who seeing Jesus fell on his face, saying, 'Lord, if thou wilt, thou canst make me clean.' And Jesus put forth his hand, and touched him, saying, 'I will: be thou clean.' And immediately the leprosy departed from him."

In addition to "touching," our monarchs hung a gold medal round the neck of the patient. The practice is described by Shakespeare:

> . . . . Strangely-visited people,
> All swoln and ulcerous, pitiful to the eye,
> The mere despair of surgery, he cures;
> Hanging a golden stamp about their necks,
> Put on with holy prayers.

"Touching" was actually elaborated into a portion of the liturgy of the Church of England, which appeared in the Book of Common Prayer until 1719, when it was quietly removed!

William of Orange, with the sturdy good sense which characterised him, refused to continue this amazing superstition, and was accused of cruelty in consequence. Only on one single occasion was William importuned into laying his hands on a patient. "God give you better health," he said, "and more sense."

Queen Anne revived the practice, and Dr. Johnson was one of the last persons she touched.

The Stuart pretenders also revived it whilst in exile and during their invasions of this country.

The practice continued longer in France than in England. As late as 1775, Louis XVI touched more than two thousand sufferers on the day of his coronation. But the Great Revolution was on its way, and the enlightened medical men of Paris caused an investigation to be carried out on these two thousand cases, which showed that in only five patients was there the slightest indication of improvement.

But if the eighteenth century was the Golden Age of European quacks, the twentieth has been a Diamond Era for their American successors.

Indeed, America has been a paradise for quacks for more than a hundred years.

Nowhere have patent medicine vendors made so much money. "What need of Aladdin's lamp when we can

build a palace with a patent pill," was one of Lowell's witticisms, and it illustrates the easy-going, humorous, American tolerance of humbuggery and fraud.

The tendency for American laymen to consult quacks is analogous to the American physician's liability to be deluded by wild-cat investments. "Some of the most responsible doctors," says Robert Morris, "will always be in the hands of financial fakers, and some of the most responsible business men will always be in the hands of medical fakers."

Even in the days of "the depression" cult followed cult in America, and there are to-day upwards of seventy cults and systems which have large or small followings in the Land of the Free.

Both in America and in this country the female quack has found a splendid field for her labours in the modern cult of beauty.

Everywhere throughout the globe, to-day, parlours, colleges and saloons flourish, all conjuring with the magic word Beauty, and conducted by women who sometimes amass huge fortunes from the desires of the world's wives and daughters to enhance the physiognomies and figures with which an often unkind providence has endowed them.

Some of these firms have developed an immense trade, and the profit on the sales of lotions, powders, soaps, creams, beauty masks, and such like runs into millions of pounds.

Most of the preparations sold in beauty parlours are creams, powders and what are called "skin-foods."

Now there is really no such thing as a skin-food. Despite the innumerable claims to the contrary, it is quite impossible to "feed" the skin by rubbing in fats or creams of any kind. Nor is cleanliness promoted by plastering the surface of the face with one type of cream and wiping it off with another. The skin can be soothed, inflamed, or

made temporarily more pliable by external applications, but it cannot be fed.

Modern women are persuaded that their skin is too delicate to be washed in the ordinary way, but when a lady patient tells a reputable dermatologist that she hasn't used soap on her face for years, he will tell her that she is a dirty girl.

The best way to keep the skin of the face healthy is to treat it in the same way as any other part of the body.

Wash it night and morning with warm water and a good emollient soap.

The part of the body which is a veritable gold mine to the hairdresser and the quack is the hair. Millions of pounds are spent annually on hair washes and restorers which cost the manufacturers the merest fraction of the huge prices which are charged for them.

There is no drug which will make hair grow, otherwise we would not have so many hairless financiers and bald barbers. But among all the fallacies attaching to the care of the hair none is so persistent as the belief in the virtues of the so-called "singe," recommended to overcome splitting at the ends and to prevent the falling out of the hair. Even the most honest of hairdressers aver that the burning of the tip will close the pores and keep the fluid in the hair. Actually, singeing merely substitutes a charred blunt end of fused horn for one tapering to a point or cut clean across. In fact, splitting of the ends is best controlled by greasing the hair, which supplies it with the fat that is lacking. Singeing the hair-ends in order to prevent the fluid from escaping is based on the misconception that the hair has a central davity through which it is supplied with some sort of nourishing sap. The hair has no more sap than a dry twig; it is nourished only by the blood that reaches its root. Above the surface it is simply a spine of horn, which can be oiled from without.

A story is told of a famous quack who sold a cure-all

remedy at street corners with remarkable success. One day an old school fellow chanced to pass. He waited till the quack had finished his discourse and subsequent sales, made himself known and then the two adjourned to a neighbouring bar to talk about old times. The visitor, with the charming frankness of childhood friends, expressed his surprise at the quack's success by saying, "You old humbug, our schoolmaster used to say you never had any more brains than a pumpkin." Instead of becoming indignant, the quack took him to the window and bade him count the passers-by. When twenty had passed, he asked his old school mate, "How many wise men or women do you suppose were among that twenty?" "Perhaps one," was the cynical reply. "Just so," returned the quack, "all the rest will come to me."

CHAPTER XX

CARDS, CRYSTALS AND THE STARS

She knew the future, for the past she knew.
JOHN LANGHORNE.

So firmly rooted was the belief amongst our ancestors that certain gifted individuals could foretell the future that Lilly, who claimed to have prophesied the Great Fire and Plague of London and to have forecast the fate of Charles I, was actually pensioned by Parliament for supplying information as to coming events.

Centuries have passed and science has produced its marvels, but to-day in every part of the world there are people whose actions are influenced by the firm conviction that the future is not of their own making but pre-arranged for them.

There are thousands of men and women of birth and education who are quite satisfied that the whole story of their lives lies written in their palms, or that their destiny can be observed by gazing into a globe of crystal.

The superstition that the secrets which lie in the womb of time are foretold in the heavens has been fostered in all ages by Astrology. This art, which was one of the most serious studies of the ancient Chaldeans, has always claimed to be able to determine from the position and movement of the stars and planets the trend of terrestrial affairs and the fate of mortals.

Astrology is, indeed, the oldest of the sciences, and when all learning died in the Dark Ages, it was, curiously enough, the only branch of learning which survived, kept alive by the sworn foes of all the arts, the Saracens. This was, perhaps, because they found in astrology something supernatural and magical, like the Djinns and Afrits of their own

Arabian Nights. For a thousand years darkness reigned, till in the fifteenth century came the Renaissance, the revival of learning. During this rejuvenescence the ancient science of astrology rose to a blaze of glory, of which smouldering gleams may still be seen in some dark crannies.

Our forefathers firmly believed that the astrologer was almost omniscient. They believed that he could foretell the destiny of an individual by calculating which star was in the ascendant at the time of his birth, and that he could derive limitless information from the signs of the zodiac with regard to the character, physique and destiny of every human being.

The astrologer assigned the days of the week to different planets and each planet was supposed to exercise its influence during the space of a year. Some planets such as the Moon, Mercury, Jupiter and Venus, were credited with a kindly influence; under their sway everything thrived, and men lived happily with abundant crops and fruitful fields. The Sun, Mars and Saturn, on the other hand, were evilly disposed towards mankind; they sent down sickness, caused troubles and disappointments, and by holding off the rain produced poor yields from the crops, and sometimes famine.

In Eastern lands, the astrologer at the present day is not only believed to be capable of telling the secrets of the future, but to be of practical use in everyday life, as when an article is stolen he is consulted and professes to be able to disclose not only where it has been hidden but the sex and calling of the thief. He claims, moreover, to be able to tell whether a person, who has been long absent, is dead or alive, sick or well, and also whether or not he will return.

In rural India to-day, the seven days of the week are split up into four lucky days and three unlucky ones, which are, curiously enough, Sunday, Tuesday and Saturday. On these days no old-fashioned Hindu will start any important undertaking or set out on a journey.

Astrology was still more than respectable in the time of Newton, but in his scientific eyes the study of the stars emerged from mystery. His observation of the heavenly bodies showed that the sun and planets were but "great worlds vehemently hot," and that they moved in their courses according to definite terrestrial laws. They could no longer be viewed as rulers of destiny, so astrology thenceforth passed into the hands of quacks and pseudo-scientists.

But Divination by the stars is dying hard. Even to-day a journal of Astrology "based on scientific principles" is published, and in many newspapers a Prophetess or a Professor invites interested readers to obtain a free astrological study of their lives, prepared according to an original and unique method. Whatever your present opinions of Astrology may be—whether you are favourably inclined, definitely sceptical, or of an open mind—you are invited to test a new system and join the legion of satisfied clients whose praise has won for the soothsayer the reputation of being one of the greatest living exponents of the "science!"

Our everyday language still testifies to the once widespread belief in astrology. We still speak of people as "jovial," or "saturnine," or "mercurial" in temperament —an unconscious survival of a time when the planet under which a person was born permanently influenced his life. Jupiter, or Jove, was a joyful star, hence those born when he was in the ascendant were *jovial*, or joyous; while those born under Saturn were *saturnine*, or grave and gloomy; and those under Mercury as *mercurial* and light-hearted as himself. The words "disastrous," "ill-starred," "ascendency," and "influence," as well as such phrases as "born under a lucky star," point in the same direction. Long after astrology ceased to be a belief, it retained its power over the imagination. Thus allusions to it are frequent in Milton, Ben Jonson, and their contemporaries, though its claim to being a real science was beginning to be doubted.

It is interesting to see that even Chaucer in his later tales had come to doubt its infallibility, though in earlier years he must have been a devoted student of astrology, as is testified by his learned discussion of the subject in his *Treatise on the Astrolabe*, written for his son and published in 1391.

The earlier European astrologers, like the Indian astrologers of to-day, were mostly men; but the deity presiding over Chance seems to have always been feminine. Indeed, the word fortune is derived from the names of the Italian goddess of chance, Fortuna, a deity of great antiquity. Unlike the goddess of destiny, or fate, this divinity worked with no reference to law, entirely at her own good pleasure, dispensing sorrow or joy indifferently.

The Greeks called her Tyche, and sculptors represented her as a beautiful woman bearing a rudder, a cornucopia or a wheel—hence the Wheel of Fortune.

For centuries, and, indeed, until comparatively modern times, even eminent scholars believed that certain women had supernatural means of communicating with spirits and foretelling the future. In the trial of the Suffolk Witches at Bury St. Edmunds in 1665, that eminent jurist, Sir Matthew Hale, who was of Puritan stock, declared that he had no doubt that "there were such creatures as witches, for the Scriptures affirmed it and the wisdom of nations had provided laws against the curious in witch lore."

In England there have been laws against witchcraft as early as the Conquest, but trials of witches have not been very frequent in this country except during the period when a rascal called Hopkins flourished at the head of a fraternity which claimed to be witchfinders.

In Scotland witches were regarded with far more abhorrence than in this country, and trials north of the Tweed were often associated with revolting punishments. But the belief in witches survived much longer in Ireland than elsewhere, as is evidenced by the fact that the last

PUNISHMENT OF WOMEN
Beating Hemp at Bridewell

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conviction for witchcraft in England was that of Jane Wenham in 1712, the last reputed witch was burnt at the stake in Sutherland in 1722, whilst so recently as 1895 a Tipperary man burned his wife, Bridget Cleary, to death, believing her to be bewitched. Cleary was sentenced at the Clonmel Assizes to twenty years' penal servitude whilst five other persons underwent varying sentences for their share in the crime.

In 1736 the latest English Statute against witchcraft was passed and established the doctrine that either injury must have been done to the person instituting the action, or, alternatively, that gain was made by the witch.

This law still remains on the Statute Book, but the punishment of the pillory which it provides for has, of course, been abrogated by later legislation.

Under this Act a witch may be imprisoned for a year, but nowadays proceedings against soothsayers are always taken under what is called the Vagrancy Act which was passed in 1824.

At the International Congress of Anthropology held in London in August, 1934, Professor Melland declared that belief in witchcraft was far from being dead in Great Britain.

He told his audience of learned people that he had records of women who sold spells to make cats jump backwards and to cause hens to lay cracked eggs!

He had a photograph of a juju tree which might have been taken on the West Coast of Africa, but was really obtained in 1934 at Four, in Ireland.

The Professor, who hails from Northern Rhodesia, asserted that every one who knows Africa is aware that the whole native population of the Continent believes that every one, white or black, can be bewitched.

We do not have to go to Africa for belief in the efficacy of charms as in a recent case at a London County Court it was stated that there is at present great interest in the

so-called "Science" of Numerology. Sixty thousand copies of a book on the subject have been circulated. This book gives the lucky numbers and colours of people according to their birthdays.

Numbered coloured discs, which cost less than a penny each, are sold at a shilling in connection with this precious system of fortune-telling.

Upwards of fifty other methods of telling the future have been practised through the ages, each honoured by a name of its own.

Apart from the Stars, the Supreme Being has been pleased to convey his messages through such varying mediums as a cock picking up grains of corn, dots made at random on paper, or by the arrangement of entrails of animals!

I have only space to mention a few of these methods, commencing with by far the most popular in our own days—palmistry.

Predicting the future by the lines on the palm of the hand was highly esteemed in ancient times, and is mentioned with respect by Aristotle, Pliny and other classical writers.

Indeed, Aristotle declared that "the lines are not written without cause in the hand of man but come from celestial influence and the peculiar human individuality."

The best known writers of the Middle Ages contain countless references to the subject, and the names of Paracelsus, Albertus Magnus, and Cardanus have been associated with it.

It appears to have been practised by regular practitioners of medicine, and found an important exponent in the celebrated Marie Anne Lenormand, who flourished during the Napoleonic Wars and is said to have been consulted by every Marshal of the Grand Army and to have foretold the downfall of Napleon himself.

Students of the subject assert that there are close connections between the science of astrology and palmistry,

and that the deductions drawn from a person's horoscope invariably coincide with the indications obtained from the study of her hand by a reliable palmist.

It is claimed that the lines on the palm alter in accordance with the development of the individual's taste and temperament, and that markings signifying particular events appear from time to time and vanish after the occurrence of the incidents they indicate.

When I was stationed in Simla, the wife of a brother officer attained a great reputation from reading the hands of her wide circle of friends and acquaintances.

I well remember on one occasion she foretold the future promotion of a dashing young hill captain. No one regarded him seriously in those days, but his name is now world famous.

On another occasion, when examining the hand of a subaltern for whom she had more than a platonic regard, she fainted and refused to proceed further. She told me that she foresaw a serious accident, and, as a matter of fact, the young fellow was killed in a polo accident a few days later.

Divination by dreams found a place in every religious system in ancient times, and the pantheists of ancient Greece and Rome and the monotheists of the Jewish, Christian and Mohammedan Faiths alike regarded dreams as a means by which the gods conveyed messages to mere mortals.

Magicians and soothsayers had a great reputation amongst the children of Israel who were warned by the Mosaic Law against consulting them. Josiah put away the wizards and workers with familiar spirits, but there was no legislation against the belief in dreams and their interpretation indeed played a most important part in establishing the reputation of a prophet.

Job declared:

"In a dream, in a vision of the night, when deep sleep falleth upon men, in slumberings upon the bed;

"Then (God) openeth the ears of men, and sealeth their instruction."

The Israelitish prophets bristle with references to dreams, and Joel declares that "when Jehovah shall pour out his spirit on Israel, the old men shall dream dreams and the young men shall see visions."

In the Book of Genesis we have no fewer than six dreams referred to in great detail, the dreams of Abimelech, Jacob, Laban, Joseph, Pharaoh, and Pharaoh's servants.

Later we have the dreams of the Midianite where a cake of barley bread was interpreted to represent the Sword of Gideon, a curious straining of illusions; the dream of Solomon in which the young king asked the Lord for wisdom, and the best known of all ancient dreams, the vision of Nebuchadnezzar.

Dreams were still regarded as celestial messages in New Testament times, as indicated by the importance attached by St. Matthew to the dreams of Joseph, the husband of Mary, the dreams of the Wise Men, and the dream of Pilate's wife.

It is curious that no reference is made to these dreams by the other apostles, which suggests that this form of divine message made a special appeal to the Jewish people as Matthew was a Hebrew and wrote his Gospel mainly for his fellow countrymen.

During the present century interpretation of dreams has been placed on a scientific basis by Sigmund Freud and his followers.

To-day the dream is regarded by all psycho-analysts as the best clue to the working of the subconscious mind, and of supreme importance in mental therapeutics.

The casting of lots was regarded in ancient times as a means of ascertaining the divine will.

Solomon himself declared:

"The lot is cast into the lap; but the whole disposing thereof is of the Lord."

Saul was chosen king by lot, and when a successor to Judas was chosen it is reported that "they gave forth their lots; and the lot fell upon Matthias; and he was numbered with the eleven apostles."

A similar method was developed into what was known as the *sortes virgilianae.* A book was opened at hazard and one or two lines selected at random as a means of ascertaining the wishes of the Almighty. When the Bible was the book chosen, this appeal to chance was dignified with the title Bibliomancy.

This ancient practice is still resorted to by the modern sporting tipster.

Pyromancy is a method of divination by observing the behaviour of fire, which seems to have been the forerunner of the popular dodge of telling fortunes by tea leaves, which is practised by a large number of old women in every part of this country and in Scotland and Ireland.

The old monks confidently asserted that playing cards were the invention of the Evil One, and there was, and, indeed, still is, a widespread belief that the future can be foretold from them.

A distinguished University graduate in my early days in Ireland used to visit an old lady of our mutual acquaintance on all important occasions in his life, and relied confidently on the advice she gave him after shuffling the cards.

A favourite modern method is for the fortune teller to claim to see the future by gazing into a large glass ball.

Only the other day a woman appeared on the stage at a music hall in Manchester and gave some remarkable examples of thought reading by gazing into one of these crystal globes. During the performance she announced that she would see people in her dressing-room afterwards. Two policewomen accepted her invitation, and were told that she gave advice free, but that she made a charge of five shillings for a lucky charm. She said she magnetised the charms by "electrifying" them with her finger tips.

This brings me to refer to the modern law for dealing with fortune tellers, which is embodied in the Vagrancy Act mentioned above.

Under this Statute, the witch has fallen from the high estate accorded to her in ancient times, and in the legal mind is now a mere rogue and vagabond!

Every person pretending or professing to tell fortunes or using any subtle craft, means or devices by palmistry or otherwise to deceive and impose on any of His Majesty's subjects is liable to imprisonment.

On a charge of professing to tell fortunes, it is not necessary to prove an intent to deceive.

Announcing public skill in telling fortunes is made an offence independently of the question whether the defendant honestly believes in the powers claimed by her.

A judge thought otherwise as recently as 1918, when a man called Davis failed in an action against a person called Corry, as the Court believed that the defendant honestly believed in his powers.

Relying on this decision, another fortune teller called Stonehouse, who had supreme confidence in his skill, again tested his case in the Courts, but the judgment went against him.

Belief in the possession of supernatural powers by women is as prevalent to-day as it ever was, and the salons of the palmist and the crystal gazer are thronged with persons of the most enlightened attainments.

Amongst the gypsies, the women all practise fortune telling, and there is no more popular "draw" at a garden party than the tent in which some amateur or professional claims to foretell the future.

Indeed, fortune tellers form a little hierarchy amongst themselves and vary in social position from the cultured well-bred lady, clad in dainty mystic robes, who receives her wealthy clients in artistic "consulting rooms" in Bond Street, to the old hag in tattered rags who croons out

prophecies to working-class women over tea-leaves, or a pack of grimy playing cards, in a tumble-down cottage.

During the fatalistic days of the Great War, soldiers and their friends turned to anyone who could profess to foresee the uncertain future, and all types of fortune tellers reaped a rich harvest by preying on the credulity of harassed men and women.

Sometimes the results were disastrous, as one gallant officer of my Division behaved so strangely as the result of the omens communicated to him by one of these "prophets" that he had to be sent back from the front line.

The methods adopted by the high class fortune tellers were disclosed in a recent case in which a "Prophetess" pleaded guilty to a charge under the Vagrancy Act.

She had a most imposing address from which she sent out pamphlets, claiming to be the "most amazing prophetess of modern times," offering to read horoscopes, and undertaking to foretell matters relating to "money, marriage, love, and the winning of competitions," but "date of death not mentioned unless you wish it."

Accompanying this communication were "testimonials" from people who had had their horoscopes read, who had become the possessors of "riches in a few months," and, having made their fortunes, were "living wonderfully happy lives." The charge for reading for one year was 5*s*., for five years 10*s*., and for a "complete reading" 20*s*.

The system under which this enterprising individual worked was to purchase the names and addresses of persons of the servant-girl type, who, in answer to advertisements in certain journals, had given some personal details. Acting upon the information thus gained, the prophetess told them facts about themselves which led them to believe that she had marvellous powers of divination.

The defence was that the prophetess believed in astrology and had practised it for years, but an unsympathetic bench inflicted a heavy fine.

But prosecutions are few and far between and give little indication of the widespread nature of the practice.

Motorists are far easier prey for the ambitious police officer than the palmists, and given a modicum of technical skill, self-assurance and a belief in her own powers there are few pursuits which can be followed with greater success by a clever woman than that of the fortune teller.

CHAPTER XXI

THE COWARD'S WEAPON

Poisons, those subtle and silent weapons capable ofde stroying life mysteriously, secretly and without violence, have ever had a peculiar fascination for mankind.

Poisons and Poisoners, C. J. S. THOMPSON.

The coward's weapon, poison.

PHINEAS FLETCHER (*circa* 1640).

FROM the most ancient times the beings who have presided over poisons have been female deities. A goddess called Gula was revered by the Sumerians 4500 B.C., and in early Greek mythology Hecate, Medea and Circe were all members of the softer sex. Medea murdered the bride of Jason by sending her a poisoned robe and diadem. Circe was endowed with great beauty by which she enticed travellers to land on her island home of Æaea, only to be poisoned by her magic cup. When Ulysses landed there, Circe turned his companions into swine, but Ulysses, through the virtues of an antidote given him by Mercury, did not succumb to her lethal beverage. Instead, he compelled Circe to re-transform his followers, and spent a year on the island with her. Milton refers to Circe and her methods in the lines:

Who knows not Circe,
The daughter of the Sun, whose charmed cup
Whoever tasted lost his upright shape,
And downward fell into a grovelling swine?

Throughout the history of poisoning there has always been a high percentage of women criminals.

In some of these creatures the use of poison has amounted to an obsession, and many have employed dangerous drugs

in order to enjoy the spectacle of watching their painful and lethal effects on their victims.

Indeed, the administration of a poison seems to have been little more than a pastime to these feminine monsters.

The secret use of poisons to get rid of their enemies or rivals was the favourite weapon of ambitious politicians from the days of the Wars of the Roses until comparatively modern times.

The practice has been invested with a mantle of romance, and the most miraculous properties have been attributed to certain drugs. It is impossible, for instance, to attach credence to stories such as that related of Henry VI, who is reputed to have been killed by putting on a pair of poisoned gloves, or that other notable persons were destroyed by inducing them to smell a poisoned rose.

There are no poisons known to modern science which have anything like such lethal properties, but as far back as the seventeenth century the preparation of poisons of very great potency was widespread, and gradually developed into a regular branch of education among those who professed a knowledge of chemistry, magic, or astrology. These persons acquired great skill in the manufacture of tasteless and colourless compounds which could rapidly destroy life, and many of them realised large fortunes by the sale of their preparations.

The Borgias are held up to detestation as the chief exponents of the abominable art of secret poisoning, but the fact seems to be that they merely used this method of ridding themselves of their adversaries a little more frequently than their neighbours.

Such was the state of society in those days that poison was regarded as a more or less legitimate way of getting rid of undesirable lives, and people who shrank from the use of violence resorted readily to the employment of poison as a means of assassination.

The use of poisons for removing unwanted lives developed

into a regular cult in seventeenth century Italy, and a body of skilled poisoners came into existence who were ready to murder anyone by poison for a fixed fee.

It has been said that the employment of poison was so widespread that no one who made an enemy was safe.

The most notorious of the Italian women poisoners was a creature called Toffana who made Naples the centre of her operations.

With cruel irony, her poison was put up in bottles which bore the picture of St. Nicholas of Barri, a holy man associated with a medicinal spring which had a reputation for healing!

These bottles were alleged to contain a miraculous liquid which had oozed from the tomb of the saint!

It was sold as a cosmetic for external use, but was really a solution of arsenic, colourless, transparent and tasteless, of such strength that four or five drops in water or wine were reputed to be sufficient to kill an adult.

Toffana carried on her operations until she reached the age of seventy, and when at this advanced age the manufacture and sale of poison was traced to her she took refuge in a convent and defied the authorities; but she was at last brought to justice and executed.

Some idea of the extent to which criminal poisoning was practised in seventeenth century Italy may be gathered from the well documented fact that the ladies of Rome formed a secret society which met at the house of a reputed sorceress, called Hieronyma Spara, who supplied those of them who wished to resent the infidelities of their husbands with a slow poison, clear, tasteless and limpid, and of a strength sufficient to destroy life in the course of a day, a week, a month, or a number of months, as the purchaser preferred.

Many of the members of this Society were young married women belonging to some of the best and wealthiest families of the Eternal City. They did not confine their

activities to dealing with unfaithful husbands but plotted to destroy any members of their families whose presence was undesirable. Their abominable rites included instruction in the use of various poisons, the symptoms to be expected in their victims and the best methods to secure their ends expeditiously—or otherwise—as might be desired.

Operations had been carried on for some time before the existence of the Society became known, "and," says a contemporary writer, "the hardened old hag who was head of the Society, passed the ordeal of the rack without confession, but another woman divulged the secrets of the sisterhood, and La Spara, together with twelve other women implicated, were hanged. Many others were publicly whipped through the streets of the city."

It is said that the secret of the preparation of some of the old Italian poisons still survives.

A curious story is told of D'Annunzio, the Italian poet and novelist, who became the exponent of Italian Imperialism in 1919 and seized Fiume with a small force. On the plea of security the other allied garrisons were induced to leave the town, and the poet held it as dictator till 1920. D'Annunzio served with distinction during the war in the Italian Air Force, and it is stated that it was his custom to carry a small bottle of a very powerful poison in his pocket, to which he used to allude as "My Pharmic Liberator." It was reported that this preparation was made from a medieval recipe only known to the Venetian poisoners.

We are told that when the poet-airman was engaged in his memorable raid over Vienna the engines of his aeroplane stopped not once but three times, and that feeling certain that a descent over enemy territory was inevitable the Italian "ace" got his Pharmic Liberator ready so that the Austrians should not capture him alive. "At that very moment he is said to have seen an apparition of his mother, who had died two years beforehand, who

bade him cast away all fears and he would get through. According to the story he kept his phial of poison close at hand during the bombardment of Fiume, and his friends had to keep perpetual watch upon him during those critical hours."

Catherine de Medici introduced the art of poisoning into France from her native Florence, and inspired by her example, the married women of France soon rivalled their Italian sisters in proficiency in getting rid of undesirable husbands.

The Marquise of Brinvilliers stands out in history as the most notorious French woman poisoner of the seventeenth century.

A woman of good birth and education, she seems to have been quite destitute of morals. She is described as an attractive woman who lived for pleasure and amusement.

With the ultimate intention of poisoning her husband, the Marquise took up the study of poisons, and is said to have commenced her experiments by visiting the Parisian hospitals, where, under cover of sympathy with the patients, she gave them "confections and wine which she had previously doctored for the purpose of observing the effect of various poisons."

The Marquise poisoned her husband, her father and her brothers, and became so reckless in the use of the "coward's weapon" that she talked openly of her methods to her servants.

Her rank and position protected her for a long time from punishment, but she was eventually tried, found guilty and executed.

Equally notorious at this period was Catherine Monvoison-Deshayes, the wife of a peddling jeweller. She was as accomplished in the use of poisons as the Marquise and quite as ruthless in her methods.

British matrons did not copy the continental practice of poisoning their husbands, and in this country it is not till

comparatively recent years that notable cases of poisoning by women have come to light.

Catherine Wilson, a married woman, was a female poisoner who did business wholesale in the 'sixties. She was as ready to slaughter a whole family or half a parish as an individual.

The case of Cordelia Botkin, who lived in San Francisco at the end of the last century, forms a remarkable story.

This lady of manifold charms and uncertain age, who was living apart from her husband, managed to ensnare a young man on the staff of a newspaper, who was married and had a child.

The young man became so infatuated with his lady friend that he left his wife and went to live with Mrs. Botkin.

Six years passed and John Dunning, for such was the young man's name, began to tire of Cordelia Botkin. As luck would have it, in 1898 he was sent out to Porto Rico by the Associated Press to act as war correspondent; he seized this opportunity of cutting all ties with Cordelia and told her that on his return he proposed to go back to his wife and home.

Cordelia Botkin, however, determined to do everything in her power to make this impossible. In the hope of making Dunning jealous, her first step was to return to her own husband. She next managed to procure a large amount of white arsenic from a drug store in a neighbouring town with which she proceeded to "doctor" some chocolates. These she put into a plain box and then despatched them to Mrs. Dunning with the inscription: *Love to yourself and Baby. Mrs. C.*

Mrs. Dunning, thinking that the sweets had been sent her by an old school friend, handed them round to her sister, her sister's children, and two friends who happened to drop in at her house, and partook liberally of them herself. The results were tragic in the extreme. Mrs.

Dunning and her sister died within a few days; the children and the two friends who had only eaten very few of the chocolates, survived. The cause of the symptoms was at once traced to the box of chocolates which were proved to contain arsenic, and arsenic was found in Mrs. Dunning and her sister at a post-mortem examination.

The police at once began to take steps to trace the mysterious "Mrs. C." and Dunning was recalled from Porto Rico. He at once recognised the handwriting on the notepaper, and, filled with remorse, confessed the whole story of his association with Mrs. Botkin to the police.

Cordelia Botkin was arrested, and at her trial found guilty and sentenced to imprisonment for life.

What remains to be told throws an interesting light on life in American prisons, which will be referred to in a subsequent chapter.

Dr. Dearden tells us that Cordelia became a great social success in her new "home," and so fascinated were the prison officials with the variety of her charms that her cell became converted into a suite, she wore private clothes, her meals were sent in from the best restaurant in the town, and her liberties were extended in all directions!

One day, however, a sad mischance befell her.

The judge who had sentenced her happened to be returning by tram from the cemetery where his wife was buried, when he was astounded to notice that opposite him was sitting the lady, whom, a few weeks before, he had condemned to life imprisonment. The tram stopped outside the prison, where the lady and a male companion alighted and proceeded to enter.

The judge took up the matter with the State authorities, with the result that life in the prison was never the same again for Mrs. Botkin!

Whilst I was serving in India before the War, a case occurred which recalled the brutal poisoning of their husbands by the Italian wives of the seventeenth century.

In 1910, an elderly Anglo-Indian, called Fullam, was living with his wife and three children at Meerut Cantonment where he was in charge of the office of military accounts.

Mrs. Fullam was an Englishwoman, much younger than her husband, and very fond of the opposite sex.

During the first fifteen years of her married life she had been a devoted wife and mother, but she was beginning to find her elderly husband an unsatisfactory companion when she made the acquaintance of a Senior Assistant Surgeon, called Clark, who had recently been transferred to Meerut.

Assistant Surgeons are a grade of medical personnel employed in the military hospitals in India to carry out subordinate duties under the orders of the commissioned officers of the R.A.M.C.

Clark had put in good service in the Army and reached honorary commissioned rank, but in private life was a lustful fellow, taking every opportunity of indulging in promiscuous love affairs.

His association with Mrs. Fullam soon ripened to intimacy, and developed rapidly. They became infatuated with one another, and finally plotted to get rid of Mr. Fullam as they decided they could not live apart.

Clark began to supply Mrs. Fullam with arsenic in the form of powders which she administered to her husband, but his medical knowledge was so limited that the small doses he provided merely served at first as a tonic and improved the state of Mr. Fullam's health.

Meanwhile, Clark was transferred to Agra, but he kept up a continuous correspondence with his lady love on the effects of the doses given to poor Fullam.

At length Fullam's health became so impaired that he was ordered to the hills for a rest. During his absence Clark spent a week with Mrs. Fullam at her bungalow, and this amorous interlude led the woman to decide that she must get rid of her husband without further delay.

So when he returned from sick leave she set about him in earnest. After many attempts with various draughts concocted by Clark, she partially succeeded in attaining her end with a bowl of mulligatawny soup seasoned with arsenic. Fullam was seized with violent pains after partaking of the soup and staggered to bed where his small daughter, Kathleen, tended him and refused to leave him. When he showed signs of rallying, the intriguers became so desperate that Clark gave him an injection of gelsemine and murdered Fullam in cold blood with his small child watching at the bedside. He then fetched a colleague, whom he tricked into signing the death certificate, and Fullam was buried without query.

After this success the couple turned their activities in the direction of Mrs. Clark. Poisoning was too slow on this occasion, and the poor woman was murdered by hired assassins.

Fortunately, for the cause of justice, Clark had kept the letters sent to him by Mrs. Fullam during the course of her attempts on her husband, and these, by the merest chance, fell into the hands of the police.

The body of Fullam was exhumed, and the two conspirators brought to trial. Both were convicted; Clark was hanged, and Mrs. Fullam died in prison shortly after the birth of a child, of which Clark was undoubtedly the father.

Although found guilty and sentenced for murdering her husband, it is extremely doubtful whether Mrs. Maybrick should be included in my sketch of poisoners.

Her case, which was tried by Mr. Justice Stephens at the Summer Assizes in Liverpool in 1889, attracted more attention than most trials of the last century.

There was an overwhelming opinion amongst the public that the verdict of guilty was against the weight of evidence.

Mr. and Mrs. Maybrick seem to have lived harmoniously together until about a year before Maybrick's death, when

both Mrs. Maybrick and her husband contracted clandestine love affairs. Matters came to such a pitch that a separation was discussed, but for the sake of their two children they continued to live together.

For some considerable time Maybrick had been in the habit of taking a quantity of drugs as aphrodisiacs; arsenic and strychnine being his two great stand-bys.

Shortly after their reconciliation, Maybrick began to suffer from attacks of what appeared to be gastro-enteritis. His final attack was so acute that he eventually succumbed to it.

Meanwhile, suspicion began to fall on Mrs. Maybrick. The nurse who was attending Maybrick reported that she had seen her soaking a number of fly-papers, all of which contained arsenic. Maybrick's brother, on hearing of this, communicated the nurse's suspicions to the two doctors in attendance and gave orders that the patient was to take food from no one but the nurse. The nurse next reported that she had seen Mrs. Maybrick enter the patient's room, remove from it a bottle of meat extract which she took into her husband's dressing-room but replaced in the course of a few moments in a "surreptitious manner." The bottle of meat extract was subsequently found to contain half a grain of arsenic. The following day Mrs. Maybrick was observed transferring medicine from a small bottle to a larger one: this bottle the nurse secured and kept.

After Mrs. Maybrick's arrest, the premises were searched and a package labelled "Arsenic Poison for Cats" was brought to light in one of her trunks; other receptacles containing arsenic were also discovered.

At the post-mortem it became evident that Maybrick had suffered from gastro-intestinal inflammation. There were also traces of arsenic in the body, though the total quantity was less than half a grain.

There was, indeed, no conclusive evidence that Maybrick died from other than natural causes, and certainly no complete evidence that he died from arsenic at all.

If Mrs. Maybrick did in fact administer arsenic, the prosecution failed to prove that she did so with intent to murder her husband.

The judge's summing up was spread out over two days, during which the jury were actually allowed to separate and to frequent places of public resort and entertainment.

The judge seemed to change his mind as he went along, and his directions to the jury created such an unfavourable impression that his carriage was stoned by a hostile crowd when he left St. George's Hall after passing sentence of death.

Immediately a widespread movement arose in favour of a reprieve, which was at length granted by the Home Secretary, penal servitude for life being substituted for the death penalty.

Mrs. Maybrick had the advantage of being defended by the foremost advocate of her day, Sir Charles Russell. But Russell had not won his most signal triumphs in the criminal courts.

He had, a few months previously, concluded his speech before the Parnell Commission, a task of unexampled magnitude, as he had not merely to defend an accused client but the conduct of a whole political party through years of struggle and agitation.

It was a tired man who pleaded for the pathetic black gowned figure in the Liverpool dock.

But if there were any faults in Russell's defence, he never wavered in his belief in his client's innocence, and he had the melancholy satisfaction to know that this case largely influenced the advent of a Court of Criminal Appeal, although it required the additional impetus of the Beck case some fifteen years later to bring about the establishment of this important judicial reform.

Coming down to recent times, in the early part of 1917 three women, a Mrs. Wheeldon and her two daughters were charged with conspiracy to poison two cabinet ministers, Mr. Lloyd George and Mr. Arthur Henderson.

The poisons used were strychnine and curare, and were obtained from Mrs. Wheeldon's son-in-law, Alfred Mason, who was a lecturer on pharmacology at University College, Southampton.

The trial was very sensational and counsel for the defence actually suggested that the case should be tried by ordeal! The judge asked if he proposed that the prisoners should walk over hot ploughshares, or something of that kind, and the barrister replied that he did "in order to prove their innocence."

Mrs. Wheeldon was found guilty and sent to penal servitude for ten years.

Women were unjustly blamed for the remarkable attempt to poison the Chief Commissioner of the Metropolitan Police in 1922, but it afterwards transpired that this attempt had been made by a man who turned out to be insane.

In 1927, a quarryman and shepherd named Pace who lived with his wife and family at Coleford, in Gloucestershire, was declared by the verdict of a coroner's jury to have died from arsenical poisoning.

His wife was arrested on a Coroner's Warrant and tried at Gloucester Assizes before Mr. Justice Horridge.

The prosection was conducted by the Solicitor-General at the time, Sir Frank Boyd Merriman, and Mrs. Pace was defended by Mr. Norman Birkett, K.C., and my friend His Honour Judge Earengey, K.C.

On the submission of counsel that there was no case to put before the jury, the learned judge declared that "no case has been more thoroughly investigated and no case could have been conducted with more scrupulous fairness. I am of the opinion it would not be safe to ask the jury to proceed further with it."

He then instructed the jury to return a formal verdict of "Not Guilty," which was done, and Mrs. Pace was acquitted.

A suggestion was made after the trial that Pace might have been in the habit of taking arsenic, and a lady wrote to the Home Secretary stating that she knew of people living in the Forest of Dean who were addicted to the habit of eating arsenic.

Another person living in the district corroborated this statement. Her aunt, she declared, used to make up a secret preparation of herbs and poison. "In the district arsenic is believed to have wonderful powers, and people get gripped with the idea of its potency."

Mr. Thompson, whose interesting book, *Poisons and Poisoners*, has furnished me with a text and much material for this chapter, says, "Perhaps one of the most curious defences to a charge of poisoning that has ever been put forward in court, was that advanced in a case which was tried in Ireland where a woman was charged with murdering her husband.

"The victim was a farmer who was taken ill after eating a supper prepared by his wife, which consisted of a poached egg. He died the following morning apparently from the effects of strychnine poisoning.

"A week later, one of his daughters, a child of three, also died from the effects of strychnine poisoning after drinking some milk. A post-mortem examination was made on both bodies, which led to the discovery of half a grain of strychnine in the stomach of each.

"At the trial, the counsel for the defence declared that he could satisfy the jury that no human hand was laid upon the egg eaten from the moment it was broken in the pan until it reached the deceased man. He contended that the poison had *fallen from the rafters*, and *accidentally dropped on the egg*, portions of which he could prove the accused woman had also eaten. Her husband before he died had expressed this view, and it was proved that some strychnine to poison rats had been placed on the floor of the loft immediately above the kitchen, and it was contended for

the defence that some of it had fallen from the rafters on to the egg as it was being removed from the fire to the table. Although the Crown contended this accident could not have happened, the jury found the accused 'not guilty,' and she was acquitted."

I cannot close this chapter in a more fitting way than by recording a widespread epidemic of poisoning by women in Hungary which came to light so recently as 1929, but recalled the poison cults of medieval Europe.

A midwife in a remote village of Hungary was found to be carrying on a traffic as a poisoner which almost equalled the fiendish activities of the infamous Toffana referred to on an earlier page.

This woman had for twenty years been supplying women in the district with poison to enable them to get rid of unwanted husbands and relatives.

The poison used was arsenic extracted from fly papers, and sold at enormous prices.

The practice of poisoning became as common as in the bad old days of the Italian poisoners of the Middle Ages, and the attitude of the murderers towards their victims was very similar.

The social practice of marrying young girls to rich old peasants contributed to the motives for murder as the brides proceeded to poison their elderly spouses as soon as possible. More than fifty women were involved in this wholesale outbreak of poisoning, and the authorities were obliged to try the women in batches.

Thirty women were placed in the dock at one time, and the accused actually tried to justify their actions by declaring that they had not stabbed or used personal violence against their victims but merely administered drugs which brought about pleasant and painless deaths.

So the association between poisons and petticoats persists into our own days.

An important recent trial has drawn a great deal of attention to the attempt to poison the famous, or rather infamous, Rasputin with cyanide of potassium.

This drug is reputed to be the deadliest of poisons, and it appears that many times the fatal dose was administered. We are told in Prince Youssoupoff's book that Dr. Lazovert, having put on rubber gloves, crushed crystals of cyanide of potassium, and, having removed the upper layers from some chocolate cakes, sprinkled each of them with a strong dose of poison, afterwards replacing the tops.

Three of these cakes and three glasses of poisoned wine were consumed by Rasputin.

This incident is referred to in a recent book by a German toxicologist, who suggests that "the reason why Rasputin was immune from the effects of such a large dose of potassium cyanide was that he suffered from alcoholic gastritis. This, by absence of gastric hydrochloric acid, would inhibit the liberation of hydrocyanic acid, while absorption would be hindered by the thickening of the stomach mucous membrane."

Another explanation is that the sugar in the cakes and wine neutralised the cyanide.

Indeed, a French physician has shown that "when potassium cyanide was added to port to the extent of two per cent, three-quarters of the cyanide had disappeared as such from the wine after three hours, and no trace could be detected after nineteen hours.

A scientific chemist offers yet another explanation. He points out that cyanide of potassium, when exposed to the air, readily decomposes into two harmless salts of potassium, and he explains the so-called "supernatural" immunity of this debauched and unsavoury Russian by the fact that he was not given cyanide of potassium at all.

In other words, the would-be poisoners bungled their job.

CHAPTER XXII

SPIES

Hers is " the subtle look and sly,
That, spying all, seems nought to spy."

SIR WALTER SCOTT.

GEORGES LADOUX, former Chief of the French Intelligence Service, has said that many people in the world to-day continue, in the face of all evidence, to reject the methods and the weapons of espionage as intolerable, while holding that it is the most sacred right of all citizens to defend their native lands and their own homes.

According to them, the betrayer of his or her country deserves a shameful death twenty times over, but the individual who has surprised and denounced the criminal deserves only oblivion.

If we accept this point of view, then neither the gratitude nor even the esteem of the nation should go to the services which have defeated some diabolical enemy enterprise, such as a plot against factories filled with women and non-combatants, or against merchant-ships manned by civilian officers and seamen and possibly transporting innocent passengers. Even a systematic and appalling plan of destruction organized on such lines could not, in that case, form an exception.

Yet it was a German who, roused to indignation at the thought of the barbarous use which his compatriots were about to make of asphyxiating gases on the battlefields, first denounced the danger to us.

"Must this informer, too, be overwhelmed with scorn for betraying her country and coming to the rescue of humanity?

"What can then be said of those Alsatians who delivered over to us Ludendorff's order of battle for the big attack along the Marne in 1918? Must they be censured for an act which caused some of them to forfeit their lives, while many others among them are still awaiting their reward?"

Ladoux insists that espionage is a form of warfare, "whose patient underground operations will destroy the fragile foundations of our present peace, unless they are shown up in the clear light of day."

I agree with Ladoux that any Government which accepts the standards set up by the sentimentalists to which he refers and declines to ask Parliament for a vote for Secret Service on the ground that it is dishonourable is guilty of treason against our own countrymen.

All armies in all ages have employed spies, as to be forewarned about the intentions of an enemy, whether external or internal, may save the lives and property of many hundreds; while to allow the enemy to make all his preparations unheeded would be criminal negligence of the worst kind.

In modern times special departments have grown up to deal with *espionage*, which in the French Army, is called the Deuxième Bureau de l'Etat-Major, and in the German service the Nachrichtendienst.

In our own army, spies are employed and controlled under the Quartermaster-General by what is known as the Intelligence branch.

The use of spies is quite recognised by the law of nations as interpreted by great international lawyers; nor is it held to be any dishonour to a general to avail himself of their services. On the other hand, during active operation the spy, him or herself, is looked upon as an outlaw, and when taken is put to death ignominiously and without mercy.

In times of peace, the spy detected in a foreign country is not put to death but committed to a long term of imprison-

ment. In England until a few years before the War he or she was immune even from this penalty, as up till 1911 there was no law on the Statute Book to deal with such cases. After a number of spies had been caught, the Official Secrets Act had to be strengthened in 1920, and, nowadays, those who endeavour to sell military and naval information to potential enemies of the future are liable to penal servitude.

The trade of espionage is highly paid, and offers a lucrative, if precarious, career to many members of the fair sex.

As to the practical utility of the woman spy, so comparatively recently as the early days of the Great War the opinion of those best qualified to judge was divided. Gradually it came to be recognised that the women and girls were able to get about in enemy territory and extract information when men failed, and that in the face of danger they were no less courageous. The result has been the employment of a great many women by all countries.

To-day a special glamour of romance surrounds those patriotic amateurs whom the plight of Belgium in the war days brought into action. These women employed their powers not for personal profit but in the interests of their country, and their action places them on a different plane to regular women members of the espionage service who have used their personal charms for the purposes of obtaining information for which they were paid.

During the German invasion of Belgium, French and Belgian soldiers—mostly wounded men—became detached from their units and were sheltered by civilians who nursed and concealed them from the invaders. Various loose organisations of citizens, who were willing to undertake the risks involved by secret disobedience of German regulations, sprang into being. These were known as "Les Grues de Famille," which term has been roughly translated as "The Clans."

Edith Cavell worked in co-operation with these Clans, and in the part she played in helping to smuggle men in civilian clothing out of Belgium (who were also bearers of secret and valuable information), she undoubtedly offended against the regulations of martial law even though she acted from the highest motives.

I do not think it was ever proved that Nurse Cavell had been a party to supplying information. Technically, therefore, she was not a spy, and her execution was a political blunder which brought thousands of Englishmen to the colours to avenge her death.

Miss Cavell was denounced by a Belgian called Armand Jeannes who found employment in the German counter-espionage department. Like so many spies who have employed their talents against their own country, he came to a bad end through foolish bragging of his own prowess.

The most famous of the patriotic Belgian women who attained fame in the War was Gabrièle Petit who began her work as a member of the Clans.

She was an associate of Miss Cavell and was at one time under her orders, and declared at her trial that it had been a great pleasure to her to work under "such a highly gifted lady." It is uncertain when she began to devote her entire activities to espionage, but in all probability she was one of the volunteers who came forward to fill up the gaps caused by the numerous arrests following Miss Cavell's trial. On this occasion, the German counter espionage scored a noted success, as no fewer than thirty-five clever workers were put out of action at a single blow.

Gabrièle's favourite disguise was that of a newspaper seller. German officers were wont to stop and chat with the pretty girl who spoke their language so well and sometimes told them that she had been born in Berlin. Indeed, she succeeded in establishing a double identity by procuring a set of false papers made out in the name of Hélène Legrand,

and for a long time the Germans were outwitted by the double personality of Gabrièle Petit and Hélène Legrand. She was an adept in disguises, and one of her favourite rôles was that of a nurse on her way to an urgent call.

At her trial Gabrièle made no attempt to deny the charges brought against her. Her only defence was that she had acted in the interests of her country.

Her youth and beauty inclined the court-martial to take a lenient view of the case, but the evidence against her was so overwhelming that it was impossible for the Court to bring in any sentence but Guilty. Even then she was offered her liberty if she would refrain from further espionage; but her reply was that she would start again the moment she was free. Even after the death sentence had been passed, she was offered a pardon if she would reveal the methods by which she and others crossed the frontier, but she indignantly refused.

On political grounds, General von Bissing, the Governor of Belgium, was anxious to have the death sentence commuted, but the military authorities insisted on her execution. At the last moment the papal nuncio pleaded on her behalf, and there can be little doubt that there was a good deal of friction between the civil and military authorities over the matter.

Gabrièle heard the news of her impending death with composure, and when she received the farewell visits of her aunt and sister, proved calm enough to restrain them from breaking down. She spent the last evening knitting in her cell and chatting with the German guard in charge of her.

On the morning of April 1st, 1916, this heroic girl was shot at the Tir National, the scene of the execution of Miss Cavell and many other victims in the Belgian cause. She refused to be blindfolded, and, facing the firing squad resolutely, she died with the words "Vive le roi" on her lips.

When Peace came, her war grave was re-opened and Gabrièle's remains were more suitably buried near Brussels. Cardinal Mercier pronounced her funeral oration before a large assembly, and her memory is preserved at Tournai by a tablet affixed to the house in which she was born.

The woman who takes up the work of a spy must have no moral scruples. For instance, there was a daughter of a hotel-keeper at Ghent who was quite prepared to spend the night with any German officer from whom she considered it likely that useful information could be extracted. But the intimate nature of her associations with her victims places the female agent in relative inferiority to the male spy as she is only human after all, and what has been a commercial association sometimes develops into a serious love affair.

There is a story of a charming Austrian lady who entered the British Intelligence Service for pure devilment—a striking contrast to the Belgian women who risked almost certain detection and a dishonourable death for the love of their country.

This lady was willing to place her great physical charms at the disposal of any officer, or official, who could supply useful information, and was very successful on various occasions when mere men had completely failed.

She was sent to Switzerland to fascinate a young and good-looking German officer who was engaged on an important mission concerning which the British authorities desired information. She readily made the acquaintance of the German, who seemed quite susceptible to her advances. All seemed progressing favourably when one day the fair spy resigned her post in a romantic manner as she had fallen in love with her intended prey.

A similar incident occurred in Copenhagen when a Danish girl succumbed in the same way to the attractions of the man she was employed to victimize.

A love affair seems to have led to the detection and ultimate execution of the famous Japanese dancer, Mata Hari, who was one of the most romantic agents of the German Secret Service.

She was notorious for her flirtations, but fell hopelessly in love with a blinded and helpless Russian officer with whom she came in contact in a hospital at Vittel.

Mata Hari came under suspicion from her employers through another woman of German origin who had thrown in her lot with the French on account of her attachment to a French officer.

Her employers sent her to Brussels where she adopted the dangerous game of professing to work for both sides.

From Brussels she went to Spain, but soon left for Holland. However, the ship on which she was crossing was held up by a British torpedo-boat, the commander of which declared himself under orders to convey her to London. Mata Hari did not appear alarmed, but concerned herself with fascinating the officers who were only too pleased to have the monotonous voyage relieved by the charms of their fair passenger.

On arrival at Southampton she was taken by car to London and was interviewed by the authorities at Scotland Yard. What transpired is not known, but it is recorded that she was placed on board a ship sailing for Spain that same night.

Her second visit to Spain was destined to be of longer duration than her first, and she was again reported to be on intimate terms with the officials of the German Embassy.

Then, suddenly, she left for France.

On arrival she was arrested, tried, and condemned to death.

There are many legends relating to her last hours. It has been asserted that she entered the car which was to bear her to Vincennes wrapped in a fur cloak, and that when her last moment came she threw it off disclosing her

body absolutely nude, hoping that the firing-party would refuse to carry out its orders. Another account relates that she was given the hint that the rifles would be loaded with blank cartridges and that she was to feign death, after which she was to be quietly removed from the country. A third pathetic story described her as behaving hysterically and kissing her hands to the soldiers of the firing-party.

As a matter of fact, she appeared at the execution post clad in a simple dress of some sombre colour. She refused to have her eyes bandaged, and was inclined to resist when the time came to bind her hands to the stake, but eventually she submitted with a good grace on being informed by the officer in charge that it was the usual custom.

"Tell them to aim at my heart and spare my face." These were the last words of Mata Hari, one of the most romantic spies of the Great War.

The well-known story of Madame Tichelly is the most sordid of any record of war-time spying. Her son was serving in the French Army, yet she deliberately supplied to the Germans information which enabled them to inflict severe losses on the regiment in which her son served, as she regularly passed on the news she received from his letters. The question was put to her at her trial whether she did not realise that she might have been the direct cause of her son's death. This callous disregard of all maternal feeling persisted with her to the end, and it was as an aggrieved martyr that she faced the firing-party. She persisted that she had never killed anyone with her own hands, and that her verdict as a murderess was therefore unjust.

The case of a woman spy, who was a member of an ancient and honourable French family, excited considerable interest in France during the War. This lady joined the French Red Cross, and whilst employed at a hospital in the Argonne, supplied information obtained from her patients and artillery officers, with whom she established

friendly relations, to the enemy through a neutral dentist in Paris.

She was arrested in hospital, to the amazement of both patients and doctors. In prison she remained in a state of apathy, complaining of violent headaches, and refused to answer any questions put to her. For some time neither threatening nor persuasion would induce her to speak, but eventually the third degree methods employed by the French police proved successful. She completely broke down one day and confessed that though she loved her country and would willingly sacrifice herself to serve it, she was compelled to betrayal by a mysterious, invisible power.

She declared that the neutral dentist who had attended her in Paris hypnotised her and forced her to supply him with information. Curiously enough, her story was believed, and the matter was hushed up.

Female members of the theatrical and music-hall profession employed the facilities their work afforded for obtaining information for both sides, notably a young lady from Lorraine, who became one of Germany's most able spies. Her French was perfect, and her English was fluent. Her centre of activity for some time was Copenhagen, where she exerted her charms over Russians, and was able to unmask several Russian spies who were trying to get into Germany through Denmark. She came to England later and toured the country in a circus, as she was skilled in trick riding. She had ample opportunity for obtaining valuable information, as the circus found "business" best in seaports and army centres. Later on, in Sweden, she managed to steal important despatches from a French courier who was travelling from Petrograd to Paris. It was not the love of money that tempted this female traitor to betray her country; she had entered the German Intelligence Service from pure desire of excitement and adventure.

This love of excitement caused many women to throw in their lot with the Intelligence Services during the War,

THE IPSWICH DUCKING-STOOL

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but few women of this type were reliable enough for permanent employment. Some could not stand the drudgery that spying often entails, others lost enthusiasm through the lack of quick success, and some were so eager for the laurels of distinction that they had no hesitation in "doctoring" their reports to accentuate their own achievements. In such cases false information soon caused their dismissal.

An instance of unreliability of this kind occurred in the case of a young Italian lady of noble birth. She had a genuine talent for spying and was engaged to watch the activities of the French Military Mission in the Italian capital, for though this may seem strange to the uninitiated, every nation spies on its allies as well as on its foes.

This lady suffered from the female love of exaggeration which rendered her services of little value, as when news was not available she simply invented items which were fictitious and worse than useless.

Curiously enough, a drug addict who was nicknamed "Mlle. Docteur" attained great notoriety in the German Secret Service in the War years.

She was the mistress of a German officer belonging to the Intelligence Service, and when accompanying him on some of his missions was found to have real talent for the game.

She was a good actress, and able to disarm suspicion by assuming a variety of useful rôles. For instance, she would pose as a landscape painter with an easel, or as an amateur botanist in search of rare specimens, and her success was largely due to the care with which she worked up her "parts" and the amount of trouble she took to learn up the jargon of the hobby chosen to mask her spying activities.

During a dramatic flight from Belgium back to Cologne, her lover was taken ill in the train and died after a few hours' illness. With his death Mademoiselle Docteur's

interest in life ended, and she devoted herself to carrying on her lover's work.

Utterly indifferent to danger, she incurred risks that few would undertake. Her centre of activities included Germany's French and Belgian frontiers, but it appears to be certain that she paid at least one visit to the Isle of Wight, which, before the War, numbered a large proportion of Germans amongst its residents. From there she was able to study the Portsmouth defences.

It is difficult to form a clear picture of Mademoiselle Docteur's achievements during the War. Friends and enemies have united in crediting her with many feats which were undoubtedly carried out by other agents. No doubt the Central European powers found it good policy to create in the allied camp the impression that they had in their service a sort of super-spy who was bound to succeed in everything she undertook. With this end in view, they have shrouded her exploits in a veil of secrecy, which, up to the present, has not been lifted.

There appears to be little doubt that she paid personal visits to England where she succeeded in setting up a staff of residential agents.

It was Mademoiselle Docteur who obtained detailed plans of the Tanks when they were still referred to in France as "Hush-Hush" machines, but her superiors are said to have refused to believe in the possibility of the successful employment of such novel contrivances.

She appears to have gloried in special missions to enemy countries where she carried her life in her hands daily—if not hourly.

Her last exploit was in 1918 when she was working in Barcelona.

Posing as the wife of a rich Argentine ranch owner, she gathered round her a band of Spanish women full of enthusiasm for the Allied cause, and obtained permission for a small number of Red Cross workers to visit the

French and British casualty clearing stations on the western front. Naturally she herself was one of the delegation of seven that received facilities from the French Government.

Details of what happened on Mademoiselle's last mission have never come to light. She certainly made a tour of the front with six Spanish ladies, none of whom had the slightest inkling of her identity, and she must have found many opportunities to see things that told their tale to her expert eye. There is a story related in Germany that when visiting an Advanced Dressing Station she was recognised by a wounded Belgian officer whom she had duped when spying in his country before the War, but she made a sudden dash for liberty and succeeded in reaching the German trenches.

This feat lacks confirmation, as I served as Assistant Director of Medical Services of the 23rd Division and Deputy Director of the Ninth Army Corps continuously from 1915 till the Armistice and I would never have allowed one English woman, let alone a number of foreign ladies, so near the front line. The story was doubtless invented to indicate the courage and resource with which this woman spy was credited.

But the activities of the Intelligence Service of all the more important members of the League of Nations are as great in peace as in war, and evidence is constantly coming to light showing that the great Powers, with their protestations of love of peace, are as anxious to obtain military and naval information as the old German Empire with its open declaration of the mailed fist.

Recently the Criminal Court at Sarreguemines pronounced sentence on five men and a woman who were charged with spying on the new fortifications on the French frontier and stealing a French automatic rifle of a new pattern in order to take it into Germany. The woman member of this group of spies, Sophie Drost, was known as "La Belle Sophie," and kept a café at Saint-Avold. She

was sentenced to a heavy fine and a long term of imprisonment.

The activity in espionage which is going on in our dependencies to-day is evidenced by a recent trial at Malta when a member of a well known military family was found guilty of obtaining information from warships which might be useful to an enemy Power.

It is believed that the spies in this case were employed by a Power with which Great Britain is on terms of special friendship!

The lamentable case of an officer of a great and historic regiment, who is now serving a sentence of imprisonment for attempting to supply military information to a foreign country, has no parallel in history; but the incident has served one useful purpose, as it became abundantly evident that whether Marie Louise was a figment of fancy or not, women are employed both as decoys and secret agents by many governments.

What Ladoux has styled the Secret War is now being carried out with some of the ceremonial of open warfare.

For instance, the unusual ceremony of an exchange of French and German spies took place on October 25th, 1935, on the Kehl bridge, on the Franco-German frontier.

Two Germans, the blind spy Johann Ratke and Moses Frischmann, both serving five-year sentences, were handed over to the German police. In return three Frenchmen named Schneider, Burghardt and Nussbaum were delivered to the French authorities.

This seems to be bringing espionage out into the open and elevating it to a higher plane.

CHAPTER XXIII

REBELS

The devil was the first o' the name
From whom the race of rebels came.

SAMUEL BUTLER.

ONE of the most curious political outbreaks of the last century was the Rebecca Riots. The rioters owed their singular name to a verse from *Genesis* which they adopted as their motto. They dressed themselves in women's clothes and scoured portions of South Wales until they were overcome, not without bloodshed, by a military force.

But women themselves have always played an important part in political agitation, and in the recent struggles in Ireland, an Irishwoman who bore a foreign name was one of the ring-leaders of the nasty little rebellion of 1916 which embarrassed the British Government already fully occupied with a great World War.

This remarkable person was Constance Georgina Gore-Booth, the eldest child of Sir Henry Gore-Booth, a baronet, and one of the largest landholders in the West of Ireland. She was born in London, and was not the first person of English birth to go more Irish than the Irish themselves, nor the first to take as gospel all the nonsense that the Irish politician babbles very often with his tongue in his cheek.

Erskine Childers was another such. He fought for England in South Africa and again in the Great War, but holds the distinction of having been destroyed by the Irish Free State, which his disloyalty to his fathers' country did so much to bring into existence.

Miss Gore-Booth's family was of English descent and steeped in the English tradition, and her parents and her

brothers, like the best type of the English landed gentry, took a deep interest in the welfare of their tenants.

Far from being an absentee landlord, the father of the future rebel, although he had a fine town residence in Carlton House Terrace, spent most of his time on his Irish estate, and his children were brought up on Irish soil.

Constance had a sister, called Eva, who became a poetess and took little active part in politics in later life, but in the 'eighties the two girls attached themselves to the Nationalist cause, and we read of their riding at the head of processions escorting Mr. Parnell to political meetings in Sligo.

Constance developed a talent for painting and wood-carving, whilst her sister devoted herself to her pen.

Both sisters "came out," spent several seasons in London and were presented at Court. Constance enjoyed her social life to the full but did not form any permanent attachment for the numerous young men of good position with whom she danced away the golden hours.

In 1900, at the age of thirty-two, she went to Paris to study painting and there fell in love with a fellow-artist, one Count Casimer Markievicz, a widower six years her junior with one son. He was a Pole by race but a Russian subject, and has been portrayed as a gay boulevardier, —wholly unlike his wife in temperament. W. B. Yeats described him as a "barbarian."

The marriage took place at St. Marylebone's, London, the Russian Legation, and a registrar's office. Such were the difficulties of marrying a Russian subject at the end of the last century.

The first six months of married life were spent on the Count's family's estate near Kiev. The whole family lived together in the patriarchal fashion. We are told that the eldest son's wife built an extension of the house for servants' bedrooms, but had the greatest difficulty in persuading the maids to sleep there: they preferred to stretch their blankets across their mistresses' bedroom doorways. The experience

of Russian life soon palled, and after a brief sojourn in Paris the Count and Countess came to Ireland and settled in Dublin. Their only child was born at Lissadell in 1901.

Her husband was in his element. He had little love for Dublin Castle Society, and made friends with all sorts of people. As a producer of plays he was a stickler for realism. On one occasion he employed real dock labourers as supers at one and sixpence a night, with the result that there was a glorious row on the stage. On this occasion, one of the "bhoys" who got the worst of it said afterwards, "I dowan't miund bein' an actor for a nighut or two. But, by J——, I wowun't be kilt for wan and sixpence."

Dublin at the beginning of the century was the centre of what has been described as a renaissance in Irish life. There was immense activity in political, artistic and literary matters, and the Irishwoman and her foreign husband took part with zest in the literary and artistic life which was surging around them. They painted, acted, wrote and produced plays.

Not greatly interested in either her husband or her child, this curious woman gradually drifted into revolutionary politics, and, when it was proposed to bring the English Boy Scouts to Ireland, she opposed the introduction of a foreign idea, and founded an Irish organization in which the boys were given not only the usual scout training but taught to shoot.

She then proceeded to throw herself with characteristic energy into the Trade Union Movement, and became close friends with James Connolly, who succeeded Larkin as leader of the militant workers.

In 1913 the Irish Citizen Army was formed from Trade Union members with women on full equality with men, and the Countess was an active leader in this organisation.

It was followed immediately by the Irish Volunteers, a counterblast to the Ulster Volunteers formed to oppose the coercion of Ulster into submitting to a Parliament in

Dublin which might be hostile to the Protestants of the North.

In 1914 came the World War, and soon the Irish Volunteer force divided into two camps. Those who agreed with Mr. Redmond when he offered them to the Government as a defence force, on the condition that they were equipped and kept in the country, called themselves National Volunteers. This was the major part. The other section—about 10,000 in number—remained with Professor MacNeil and called themselves the Irish Volunteers.

The latter body and the Citizen Army, while maintaining their separate entities, drew closer together. When, in 1916, conscription was at last adopted in England, the National Volunteers, fearing they might be called upon to defend the Empire to which they professed to belong, began to drift back into the Irish Volunteer ranks.

With revolutionary intentions, the Irish Citizen Army and Irish Volunteers combined as the Irish Republican Army, and, preoccupied by preparations for the Battle of the Somme, England was stabbed in the back by the declaration of an Irish Republic on Easter Monday, 1916.

The rebels seized and occupied Stephen's Green, the beautiful park in the centre of Dublin, the Four Courts, the South Dublin Union, a factory, some mills, and, of all places in the city, the *Royal* College of Surgeons.

Cleverly enough, the headquarters of the rebels were established in the General Post Office, so that communication with the outer world was cut off.

A considerable number of women, of whom the Markievicz woman was one, mobilized with the Irish Republican Army. The rebels in petticoats were in Stephen's Green, which was raked by machine-gun and rifle fire from the surrounding buildings. The trenches dug by the rebels were of no use against such an attack; they therefore retreated to the Royal College of Surgeons on the Tuesday.

During the defence of both the trenches in Stephen's

Green and the College building Markievicz acted as a sniper, as few of the rebels were marksmen.

The rebels surrendered on the Thursday of Easter week, and the Countess was taken to Kilmainham Gaol with the others. The ringleaders were court-martialled and condemned to death. The British Government accorded to these misguided men the honour of being shot instead of being hanged and only carried out the executions reluctantly, for which leniency the British Government has been accused of prolonging their suffering needlessly.

It was inevitable that the court-martial should condemn the Countess to death; she had been second in command, under Mallin, of the Citizen Army force in Stephen's Green, and was also leader of Fianna Nah-Eireann, as the Irish Boy Scout organization was called.

Mr. Asquith was responsible for her reprieve, and it is stated that he went over to Dublin specially to intervene on her behalf.

Closely allied with the arch-rebel, Markievicz, were many other rebels in petticoats, a woman doctor and Madeleine ffrench Mullen, another scion of an old Anglo-Irish family, in charge of the Red Cross.

The rebels had only one woman casualty, Margaret Skinnader, who wore uniform and carried an army rifle.

She left Stephen's Green with a raiding party to set fire to a house, and was badly wounded.

A book has been published containing the letters of the Countess. Few seem worth reprinting, but the following letter shows the curious outlook of this woman on events which seem so discreditable to those of us who had the good fortune to be in France at this desperate period in the history of the War.

"The memory of Easter Week with its heroic dead is sacred to us who survived. Many of us could almost wish that we had died in the moment of ecstasy when, with the tricolour over our heads we went out and proclaimed the

Irish Republic, and with guns in our hands tried to establish it.

"Tradition has grown up slowly from generation to generation in the Irish mind and the idea of rebellion has gradually assumed the sanctity that among English people is associated with the organised authority of the State. So that in Ireland the great rebels are all national heroes and martyrs, and their names are household words, revered and honoured—with this difference, that in Ireland the halo of tragedy is round the heads of all the heroes, and nobody speaks lightly of those who have won great honour through extremes of suffering and self-sacrifice. Loyalty as conceived by masses of Irish people is not, as it is in England, a faithful adherence to the successful and governing classes, but a passionate clinging to an often lost cause, and to the memory of dead and defeated heroes."

Markievicz was interned for a German Plot in 1918, and from 1920 onwards was actively engaged in the guerilla warfare which the Irish Republican Army waged with such ruthless courage against superior numbers.

In 1922 the Englishwoman who had been a rebel against the rule of her own countrymen became a rebel against the Free State Government.

Her great desire was to secure the removal for members of the Dail—as the Irish Free State Parliament is styled—of the Oath of Allegiance to the Royal House her ancestors had faithfully served. When the attack was made on the Four Courts in Dublin in 1923, she saw her last bit of fighting, then was "on the run" once more, and finally was arrested on a lorry in her old constituency where she was holding a protest meeting against the Government she had worked to establish. She was taken to prison in the North Dublin Union Internment Camp. She went on Hunger Strike for a fortnight because this had been agreed on for all prisoners. The leaders called off the strike when two prisoners had died, and the Countess was afterwards released with the others.

This amazing rebel Countess who inconsistently refused to take her seat in Imperial Parliament, or in the Dail, which she had succeeded in establishing, died in the public ward of a hospital among the poorest of Dublin's poor.

Her husband was not associated with her revolutionary work. That witty scallywag, who survived her by five years, preferred the gay, superficial side of the Irish character to its genius for intrigue and devotion to lost causes.

The story of this amazing rebel is one of those strange happenings which only take place in Ireland.

"She inherited, by birth and circumstance, all the ease and all the finer pleasures that the civilisation of the modern world provides. In her youth she had famous beauty and famous powers in the hunting field; and she had a vivid intellect and wit. If the life of sport and social amusement did not satisfy her, another world was open, for the deep and ardent sense of beauty which made her sister a poet made a painter of her. She lived the joyous life of an art student in Paris for a while, and knew the keen delights of intellectual comradeship and friendly rivalry in the service of art."

But the queer kink in this woman's nature attracted her to the adventure of rebellion.

She threw aside social position, the joy of taking part in Ireland's literary renaissance, and the pleasures of the hunting field to plunge into the murky and sordid surroundings of guerilla warfare.

Born to comfort and even luxury, she deliberately chose to die in a public ward of a hospital.

Nurtured in a castle, a stronghold of English landlordism and ascendancy and a member of the Reformed Faith, she died a Roman Catholic and an outlaw from her own class, and was buried in an Irish Republican's grave.

But she attained the distinction that she is the only woman from the landlord class to whose memory a public monument has been erected by the pennies of the simple folk of her adopted country.

Throughout the turmoil of the years 1920, 1921 and 1922 she was but one of the many women actively engaged with the ranks of the rebel forces of Sinn Fein.

To-day in India the most backward women in the world are ranging themselves as agitators against the Imperial Government.

Thousands of them—many of good family and high educational attainments—have suddenly emerged from the seclusion of their homes, and in some instances actually from *purdah*, in order to join Congress demonstrations and assist in picketing; and their presence on these occasions has made the work of the police particularly unpleasant.

No more serious problem has been faced by any governing nation than the present situation in India, and not the least of its complicated aspects is the presence of so many politicians in petticoats.

Among the leaders of this movement is Mrs. Sarojini Naidu, a lady of exceptional accomplishments and literary attainments. She was educated at Girton and is a Fellow of the Royal Society of Literature. She was married in 1898 to the Principal Medical Officer of the Nizam's Service.

In the earlier part of her career, Mrs. Naidu devoted herself to philanthropic work, and was decorated by King Edward VII with the Gold Kaiser-i-Hind medal for flood relief work in Hyderabad.

But, like the Irish Countess, she drifted into anti-British politics, and her activities commended themselves so much to Indian agitators, under the leadership of Gandhi, that she was elected the first Woman President of the Indian Congress in 1925; since then, she has travelled throughout East and South Africa on a mission on behalf of Indian settlers, has represented India at important international gatherings, and has been on a lecture tour in Canada and the United States.

Mrs. Naidu has published three volumes of poetry in English, and one lyric, *The Gift of India*, will convince the reader that these poems have been worthy of translation into many Indian and European languages.

" Is there aught you need that my hands withhold,
Rich gifts of raiment, or grain or gold?
Lo! I have flung to the East and West
Priceless treasures torn from my breast,
And yielded the sons of my stricken womb
To the drum-beats of duty, the sabres of doom.

" Gathered like pearls in their alien graves,
Silent they sleep by the Persian waves,
Scattered like shells on Egyptian sands,
They lie with pale brows and brave, broken hands,
They are strewn like blossoms mown down by chance,
On the blood-brown meadows of Flanders and France.

" Can ye measure the grief of the tears I weep,
Or compass the woe of the watch I keep?
Or the pride that thrills thro' my heart's despair,
And the hope that comforts the anguish of prayer?
And the far sad glorious vision I see
Of the torn red banners of Victory?

" When the terror and tumult of hate shall cease,
And life be refashioned on anvils of peace,
And your love shall offer memorial thanks
To the comrades who fought in your dauntless ranks,
And you honour the deeds of the dauntless ones—
Remember the blood of my martyred sons."

Associated with Mrs. Naidu are a number of other Indian women writers, notably Mrs. Lilavati Munshi, a younger lady, who is the wife of a Bombay lawyer.

She is the author of a number of books, and gifted with great powers of leadership, but so bitterly hostile to the continuance of British rule in India that the authorities have been obliged to send her to prison for overt acts of rebellion on several occasions.

But these ladies are Indian born, and their presence in Indian political life is natural.

It is otherwise with Madeline Slade, perhaps the most

picturesque figure that has ever passed across the shifting scene of Indian history. She is the daughter of a British admiral, who, just before the War, commanded the East Indies Squadron in Indian waters.

She joined her father in Bombay and led the ordinary life of an English girl in India, but tells us in an article in a popular weekly that she found the life uncongenial and that during her early sojourn in our Great Dependency she met very few Indians and learnt very little about the country.

She returned to England just before the Great War, but was what we called at the Front a "Conchie," so took no part in saving her country from German bayonets.

By chance she read a book by Romain Rolland, a French writer, on oriental mysticism. She met the Frenchman, who told her that Mohandas Karimchand Gandhi, a barrister of the Inner Temple, who had become the leader of a movement for the freedom of India from British rule, was a second Christ.

She read the Frenchman's books and was converted, or I should write perverted, to the view that all Western civilisation was wrong and that only Gandhi, with his return to what Bernard Shaw calls lacto-vegetarian diet and home-made clothing, was right.

She spent a year learning to spin and weave, and in accustoming herself to the diet of the Ashram, and then went out to India in 1925. She was met by Vallabhai Patel, another barrister, who was one of Gandhi's most trusted lieutenants, as he has spent a good deal of time in jail for active action against the Government of India.

Gandhi received this English lady into his house as an adopted daughter. She took the Hindu name of Mira Bai, learnt to speak Hindu and to lead the life of an Indian peasant woman, cooking, attending to the cattle, spinning and weaving, and doing the routine work of a strict Hindu household, which commences at four in the morning and goes on till nine o'clock at night.

In due course, Gandhi allowed Miss Slade to take a vow of celibacy and to have her hair shaved like a nun or an Indian widow.

She also vowed to give up all thought of earthly possessions.

Miss Slade came into considerable prominence when she accompanied Gandhi to the Round Table Conference in 1932. She came back to this country again in 1934, but has once more returned to India.

It is difficult to understand this gifted lady's adherence to the notion that the devoted service of the British people to India during the past century has been a tyrannical mistake.

She must know that one of Gandhi's supporters admitted at the Round Table Conference that Great Britain had taught Indians for the first time to envisage India as a political entity.

This is an admitted fact; for, as I have pointed out in my book, *Incomparable India*, the great sub-continent was merely a land of disunited and warring principalities until the genius of the British people welded it together, *for the first time*, under a monarch of paramount authority, and brought to it far greater prosperity, enlightenment, development and freedom than had been dreamed of in the so-called Golden Ages of either Asoka or Akbar.

This chapter would not be complete without some further reference to the women "rebels" who in pre-War days fought and died for "freedom" for women.

Last Derby Day was the twenty-second anniversary of the occasion when Emily Wilding Davison gave her life on the Epsom race-course to attract attention to women's fight for citizenship.

Facing certain death, this remarkable woman flung herself on the King's horse, Anmer, at Tattenham Corner, bringing him down with his rider. Other horses in the race tumbled over the unexpected obstacle, and the suffragette was fatally injured by their hoofs. She never regained consciousness, and died in a few hours.

Miss Davison came of a well-to-do Durham family and was at the University when her father died, leaving the girl and her mother in straitened circumstances.

Mrs. Davison had to make a living by starting a tea-shop at Long Horsley, whilst Emily became a governess, and, burning the midnight oil, graduated with honours both in classics and mathematics at London University, then went up to Oxford and took honours in English language and literature.

Despite this brilliant record in three distinct branches of learning, Emily found it difficult to get a job, as in those days the better posts were strictly reserved for men.

Smarting under what she regarded as an injustice, she became attracted by the militant suffragette movement and threw herself into it heart and soul. She became a rebel amongst rebels, and the most impetuous of all her associates.

Emily went to prison again and again, and must have been a great trial to the authorities in Holloway as she barricaded herself in her cell and defied all prison discipline. When she was released and had nothing more spectacular to do she smashed windows, destroyed the greens on golf courses and such like.

One of her most remarkable escapades was hiding in the Crypt of the House of Commons, but she does not appear to have seriously attempted to emulate Guy Fawkes.

An unfortunate reference by Mr. McKenna to the fact that men had burned down Nottingham Castle in their fight for the vote, inspired her with the idea of an even more spectacular form of incendiarism than setting fire to a castle or even the House of Commons.

She originated the plan of setting fire to pillar boxes, which was one of the most exasperating of all the devices to which the militant suffragettes resorted.

Almost her last exploit prior to that fatal day on Epsom Downs was to cause an explosion in Mr. Lloyd George's country house at Churt. The police never discovered the authorship of the deed. Mrs. Pankhurst publicly accepted

responsibility for it as the work of the suffragette movement, and got three years' penal servitude for doing so. Her sentence was never completed, for the Great War intervened, and, as we have seen, no Government dare face another sex rebellion after the War.

Are women satisfied with the result of their successful campaign?

Sylvia Pankhurst, the famous suffragette leader, is happily still with us and she emphatically answers "No."

Women have flocked into professions and businesses, and have distinguished themselves in many fields; they have entered Parliaments, achieved Cabinet rank; their family, social and political status has been immensely raised, but Miss Pankhurst complains that the torrential women's movement has dwindled to a mere streak.

The emancipation of women, she declares, displays itself to-day mainly in the more public use of cigarettes, face-powder and lipstick!

There is even a reaction from the approximation of male and female attire, at which the suffragettes aimed, to be seen in the return of trailing skirts and other details of dress and deportment which show that the interests of modern women are directed more to sex appeal than to the ballot box.

Miss Pankhurst bewails the fact that the new era of world happiness and social wisdom, which was predicted as the result of the extension of full rights of citizenship to women, has completely failed to materialise.

Instead of the new heaven and the new earth which the women rebels of 1913 promised us, she thinks we have only cigarettes, long skirts and lipstick; but I wonder if she is right.

I think that women were never so well equipped to fulfill their mission of companionship to men as they are to-day, and never so well qualified for leadership in any and every walk of life.

There was never a time in this world's history when we could regard with less complacency rebels in petticoats.

CHAPTER XXIV

POLICE AND PUNISHMENT

There be four things that keep us all from having our own way, Money, Fortune, Mrs. Grundy and Policemen.

D. W. THOMPSON.

BEFORE considering the need for women police, it is necessary to realise how our blue-coated guardians of law and order came into existence.

We have become so used to their presence in our midst that we seldom pause to remember that the policeman—as we now understand him—only came into existence barely a century ago.

The prevention of crime and the apprehension of wrong-doers was originally part of the daily duty of every man and woman.

The inhabitants of each town and village were obliged to control and punish evil-doers or satisfy the claims of persons who had suffered damage, and to carry this out all free citizens combined into groups for mutual security and protection. The members of these groups were pledged to bring to justice any offender amongst themselves.

If the law-breaker fled and was not forthcoming, any fine imposed had to be borne by the group to which he or she belonged.

In addition to these organisations recognised by law, there were also voluntary associations, or Peace guilds, formed for the sole purpose of maintaining order and bringing felons to justice.

It was not till the time of Edward I that the Statute of Westminster provided for "Watch and Ward" to be kept in every town and city. These terms were not synonymous;

"Watch" was kept during the night, and "Ward" by day.

Women shared police duties with men, as the *Liber Albus* of the City of London laid down: "The Freeman, when she is a woman, shall have no excuse from duties of watch and ward."

As civic life became more complicated, the duty became irksome and our forefathers found it convenient to provide paid personnel to preserve law and order, and parish constables and town watchmen came into existence.

Prior to 1830, however, this country had no real police organization, and the lack of confidence in such constabulary as existed is shown by the fact that a number of voluntary associations still existed for the apprehension and prosecution of offenders against the criminal laws.

It is interesting to recall these voluntary bodies, as the first women to carry out police duties were members of similar self-constituted societies.

Now for some years before the war many social workers had ardently desired the employment of women on police duties, in the belief that women understand the psychology of their own sex better than mere men, and are therefore better qualified to deal with the many police problems which arise, especially in relation to female children and young girls.

In the first weeks of the war there was much excitement, intensified by the turmoil of mobilization and the gathering together of great numbers of young men and boys in camps, and the normal daily life of the community was dislocated. The danger to the girlhood of the country arising from a slackening of moral control on the part of both sexes was realised by all women's organisations and they determined to meet the situation by doing what they could to stem the tide. The National Council of Women was among the first of these to take organised action to grapple with the dangers, and appointed an *ad hoc* Committee under the Chairman-

ship of Mrs. Creighton, then President of the National Council, upon which a very large number of Societies were represented. This Committee, after anxious deliberation, decided to organise a body of voluntary workers to be called "Women Patrols."

The Home Secretary gave the scheme official recognition, and the Commissioner of Police of the Metropolis, Sir Edward Henry, gave it his support by issuing signed cards directing the police to give the Women Patrols every assistance in their work, and each woman carried one of these cards when on duty.

Outside the metropolitan area similar cards were signed by the Chief Constables concerned, and formal official, recognition of the Patrols was also given by successive War Ministers, First Lords of the Admiralty, Officers in Command of Military Districts and competent authorities throughout the Kingdom.

The first Patrols, after being efficiently trained by specially instructed organisers, started work on 27th October, 1914, and from first to last between 4,000 and 5,000 were enrolled.

Sir Edward Henry directed that careful observation of the work of the women patrols should be made and, as a result of the favourable reports received, he employed eight women patrols to report to him upon the conduct of cinemas in the Metropolis. Later he increased their number by thirty to patrol Hyde Park and other open spaces. These "Special Women Patrols" worked under a Supervisor and were looked upon as Women Special Constables.

The Commissioner also granted the use of the official police armlet when on duty. Acting on the suggestion of the Commissioner of Police,

"That if a well considered scheme for the employment of women patrols as paid workers was laid before the Home Secretary with a request that they might be subsidised,

he was prepared to support the application and employ the women patrols where possible"—

the Home Secretary was approached with the result that in 1917 a money grant was made by the Treasury. By this official encouragement Sir Edward Henry may be regarded as the founder of the Metropolitan Women Police. At any rate he created a nucleus from which the women police of the Metropolis have developed.

In 1918, when Sir Nevil Macready succeeded Sir Edward Henry as Commissioner, his enquiry into the work of the women patrols led to the organisation by him, with the consent of the Home Secretary, of a permanent official body of women police for the Metropolis. A very comprehensive scheme of recruiting, selection and training was drawn up at Scotland Yard and approved by the Home Office, and, on 21st November, 1918, the Order constituting a Division of Metropolitan Women Police Patrols came into operation. The Division consisted of 100 rank and file, ten sergeants, an Assistant Superintendent and a Superintendent.

A Board for the selection of the new women police was appointed and sat at New Scotland Yard.

The principal, and primary, duties of women police were to deal with women and children, ill, injured, destitute, homeless, and those who had been the victims of sexual offences, or were believed to be in danger of drifting towards an immoral life. The orders, with regard to such routine details of their work as entering particulars of cases in pocket-books, time cards, saluting, etc., were precisely similar to those given to male constables. They were also to be given access to Police Orders and other official publications. In fact, except that they were not attested and were not then eligible for pensions, the members of the Women Police Division were on much the same footing as the male force. The Police Pensions Act, 1921, made Police Women pensionable.

Immediately after the war the whole question was reconsidered and in 1920 a Committee was appointed which heard evidence from forty-seven expert witnesses of diverse views. The conclusions arrived at by this Committee may be summed up as follows:—

"After careful consideration of all the evidence, we are of opinion that in thickly populated areas, where offences against the laws relating to women and children are not infrequent, *there is not only scope but urgent need for the employment of police women.*"

Unfortunately in 1922, the Committee on National Expenditure, under the Chairmanship of Sir Eric Geddes, reported adversely on the subject of the Metropolitan Women Police. The "Geddes Axe" fell upon the Force, but so vigorous a protest was made that a small remnant—twenty per cent. of its members—was saved.

In 1926 the matter was brought up again and the Home Secretary and Secretary for Scotland received a deputation on the subject and in reply to the representations made, the Home Secretary said he had already increased the number of police-women in London and proposed to increase it still further. Referring to the provinces, he said "I am prepared to issue yet another circular pointing out the extraordinary discrepancy between the number of women and men police (137 women and 53,734 men) and stating that in my view it is desirable there should be, at all events in big centres of population, women police, in order that they may deal with all work referring to women and children." The Secretary for Scotland promised to take similar action.

In 1931 the Police (Women) Regulations were issued which assign the following duties to women:—

1. Patrol Duty.
2. Duties in connection with women and children reported missing, found ill, injured, destitute, or homeless, and those who have been the victims of sexual offences, or are in immoral surroundings.

3. Taking statements from women and children in cases of sexual offences.
4. Duties in connection with the conveyance of women and children to or from hospitals, poor-law institutions, police stations, prisons, places of detention and industrial and reformatory schools.
5. Watching female prisoners or women who have attempted suicide detained in hospitals, etc.
6. Attendance on women and children in Court.
7. Searching and attending female prisoners.
8. Clerical work.
9. Plain clothes duty and detective work.

This Circular defined the duties which *may* be assigned to policewomen. It is, however, still left to the decision of Local Authorities whether to appoint at all and whether to attest when appointed.

In rural areas women police are especially useful.

A mobile force of eight attested policewomen is attached to County Headquarters in Gloucestershire, four of whom cover rural areas by means of motor cycles.

Fifteen attested policewomen are attached to the Lancashire County Police and two to the Hertfordshire County Police, and they are all doing valuable work in connection with women and children in country districts.

Since 1931, the following towns have attested their police-women: Birmingham 10 (also 4 unattested), Bristol 6, Chesterfield 1, and Hove 1.

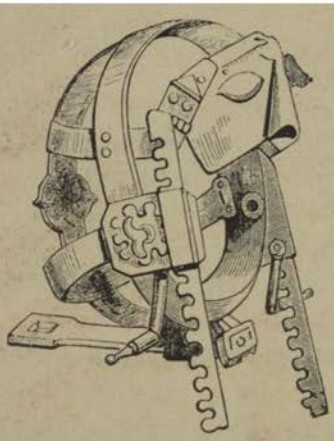
It may be interesting to contrast the number of police-women and policemen in Great Britain.

Policewomen.		*Policemen.*	
Metropolitan and City of London	49	Metropolitan and City of London	21,235
England: 33 Boroughs, 5 Counties	103	121 Boroughs, 60 Counties	37,294
Scotland	22	Scotland	6,626
Total	174		65,155

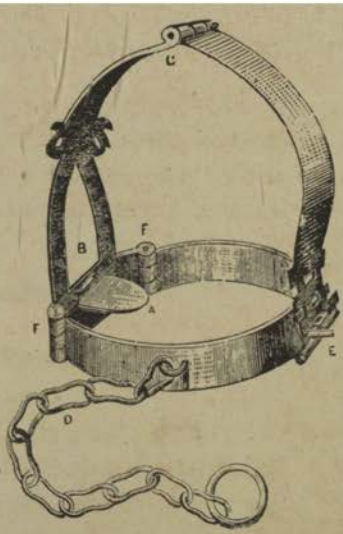
There can be no sort of doubt that policewomen have come to stop, but the opinion of those best qualified to judge differs widely as to their value. I do not think that the women constables are welcomed by many male members of the service. Some go so far as to declare that they are useless, whilst others admit their value but declare that the employment of women in police work has a very limited sphere. Whatever may be the opinion at Scotland Yard and other police headquarters, there is no doubt at the Home Office that the woman police officer plays a most important part in safeguarding young girls from many of the perils of the streets.

Sir Herbert Samuel, the Home Secretary at the time, in his speech on Civil Estimates, 1932, said that the suggestion that the women police were of no value was certainly not the view either of the Home Office or of the Commissioner of Metropolitan Police, nor, he believed, of the general body of Chief Constables. The women police for certain functions were of very great utility. The Committee might have noticed the increase in the number of offences against young girls. That was to some extent a statistical increase, more offences had come to light for the reason that there were women police to whom these offences could be reported.

"In the Metropolitan Police district, so far from desiring the abolition of the women police, a considerable increase in their number had been planned, but difficulty had arisen with regard to their housing, and afterwards questions of finance had prevented their increase. Within the last few months he had issued new regulations throughout the country for the employment of women police, which gave them a more assured status and entitled them to perform more definite duties. The Commissioner of Metropolitan Police had reorganised the women police service in London, with a view to making it more effective. The head of them, Miss Peto, whose services were well known,



ENGINE OF TORTURE IN THE LUDLOW MUSEUM



CHESTERFIELD BRANK

BRANK AT THE MANOR HOUSE, HAMSTALL RIDWARE

THE BRANK, OR SCOLD'S BRIDLE

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had now been given the rank of Superintendent of the Metropolitan Police Force. The Commissioner regarded this force as of real value." Sir Herbert Samuel added "we all hope that when the finances of the country allow, it will be further expanded."

This official attitude towards the women in police work is encouraging, but as evidence of the hostility I have already referred to, a well known writer on crime says he once asked a well known officer of the Metropolitan Police, who, after he retired from the service, ran a private inquiry agency, whether he employed women to any extent as he—the writer—thought they might be specially useful in that kind of work, especially in relation to divorce cases. He was told that even in this kind of investigation women were rarely employed, as experience showed that men could do almost anything that a woman could do and do it better.

This sounds extraordinarily like prejudice, and I am inclined to think that there is wide scope for the employment of women detectives, just as I have shown in another chapter that women spies can do work which men could not undertake.

This view was discussed at the annual conference of the National Council of Women at Leicester in October, 1935.

Lady Hort, moving a resolution urging the appointment of an adequate number of trained and attested police-women, said:

"We are not asking for a policewoman in every village; rather we ask that in every county and county borough there shall be a small number of mobile policewomen who can be called upon at short notice to go to any part of the area and perform duties which may be assigned to police-women as laid down in statutory regulations.

"We do not ask for anything expensive. In the Metropolitan area where there are some policewomen, for every £1 spent on policemen less than one-third of a penny is spent on police-women.

"We ask that the same proportion should be spent all over the country and we believe that in spending we should be saving money.

"We must get the right type of women into this work. We want young women to take up police work as a career, and we must train them for it."

Another speaker thought that women sometimes had a much more restraining influence than men. She told how she came across a woman drunk outside a public-house. Some policemen were trying to arrest her, but she took off her hat and coat and began to fight them.

"I went up to her and said: 'Look here, don't bother about them; they are only men. You come along with me,' and she picked up her hat and coat and came like a lamb."

The Women Police Petition was launched in England and Wales at the beginning of April, 1934, and in Scotland in May, and signatures were still coming in when the Petition was presented to representatives of the Home Office and Scottish Office at the Home Office on July 23rd.

In presenting the Petition, it was pointed out that the Deputation as in 1929, repeated the same two requests, viz:—

(1) That certain duties be made compulsory for policewomen.
(2) That a Woman Inspector be appointed at the Home Office.

The Under Secretary of State, in replying, traced the recommendation to leave the appointment of Women Police to "local discretion" through the Committees of 1920 and 1924, and the Royal Commission of 1929 and the Women Police Regulations of 1931 showing that it was the continued policy of the Home Office. The Home Office was awaiting a report on an experiment with the Police-women in the Metropolitan area and if that report was favourable it might influence other Police Authorities.

So here we must leave this interesting modern development in the hope that the experiment now being conducted with regard to policewomen may prove successful.

Passing to the question of punishment, there is nothing in our legal system in which such revolutionary changes have taken place within the last century than in the treatment of women found guilty in our Courts.

The public whipping of women at Bridewell was one of the barbarous horrors of Old London.

It is hardly realised to-day that some medieval modes of punishment for women persisted in this country up to the last century.

These barbarous procedures were chiefly directed against the Common Scold, who was regarded as an offender against the public peace.

The ducking-stool was one of these amazing survivals. This instrument of punishment was a strongly made armchair fixed to the end of a long beam which worked across a stout post on the see-saw principle and extended over the penitential pond.

The culprit was placed in the "stool" and lowered into the water a varying number of times.

This punishment was actually carried out as comparatively recently as 1808 at Plymouth, and 1809 at Leominster.

The public attitude of mind towards this outrageous custom is revealed in the following lines taken from a book, called *Miscellaneous Poems*, by one Benjamin West, published in 1780.

There stands, my friend, in yonder pool,
An engine called the ducking-stool,
By legal pow'r commanded down,
The joy and terror of the town,
If jarring females kindle strife,
Give language foul or lug the coif;
If noisy dames should once begin
To drive the house with horrid din,
Away, you cry, you'll grace the stool,
We'll teach you how your tongue to rule.

The fair offender fills the seat,
In sullen pomp, profoundly great.
Down in the deep the stool descends,
But here, at first, we miss our ends;
She mounts again, and rages more
Than ever vixen did before.
So, throwing water on the fire
Will make it but burn up the higher;
If so, my friend, pray let her take
A second turn into the lake,
And, rather than your patience lose,
Thrice and again repeat the dose.
No brawling wives, no furious wenches,
No fire so hot, but water quenches.
In Prior's skilful lines we see
For these another recipe:
A certain lady, we are told
(A lady, too, and yet a scold),
Was very much reliev'd, you'll say
By water, yet a different way;
A mouthful of the same she'd take,
Sure not to scold, if not to speak.

More cruel still was the brank, or scold's bridle, which was devised for women with sharp tongues. It consisted of an iron framework with hinges at the side which enclosed the head in a kind of cage. It had in front a plate sharpened, or covered with spikes, so situated as to be placed in the mouth of the victim and to cause great pain, or even severe injury, if the tongue was used.

The woman, with the brank on her head, was led through the streets, exposed to the jeers of the populace.

In many cases the poor victim was treated in this barbarous fashion for no greater offence than telling her mind to some jack in office, speaking plainly to a wrong-doer, or taking to task a lazy or perhaps drunken husband.

This inhuman torture was actually meted out to a woman at Shrewsbury in 1846!

The dreadful condition of our English prisons in the early days of the last century was concisely described by

Southey and Coleridge in their poem, *The Devil's Thoughts*. We are told that:—

As he (the Author of all Evil) passed through Cold Bath fields, he looked
At a solitary cell;
And he was well-pleased, for it gave him a hint
For improving the prisons of Hell.

A woman, Mrs. Elizabeth Fry, the wife of a Quaker banker at Norwich, was one of the pioneers of prison reform. She commenced to visit the female prisoners at Newgate in 1817 and described the female ward in this famous prison "as a den of wild beasts, the women being in filth and rags, steeped in vice often acquired within the prison, and brutalised by men gaolers."

The female offender who is sent to prison to-day finds herself under very different conditions.

The modern prison would compare favourably with the work-house of a generation or so ago.

Barring the fact that she is not at liberty to leave the premises, the woman prisoner is well housed, sufficiently fed, and provided with a fair amount of recreation.

If she falls sick she has all the advantages of a modern hospital with trained nurses.

If she is pregnant on admission, she has every attention and a crèche is provided for her infant.

The prison is inspected by a woman inspector and there is a devoted corps of lady visitors.

In addition to other amenities, she finds a good library at her disposal.

The world's news was until recently given to all prisoners by means of weekly addresses by the Chaplain. Now convicts have a newspaper specially printed and published for themselves at Maidstone where there is a large printing press worked entirely by prisoners. Secular lectures have been organised, missions are conducted in all prisons,

and wireless concerts are now a regular feature of prison life. The bulk of the prisoners are sentenced to too short a term to admit of technical training, but, for those who have more than a month to serve, there are now workshops and skilled trade instructors.

Other reforms are on the way.

Even courses in science and mining have been planned for the benefit of the prisoners in certain prisons, and lectures in hygiene have been organised for the inmates of Borstal institutions and prisons throughout the country.

In addition to all these activities, the dangers of contamination are provided against by keeping first-offenders of previous good character in a class by themselves. Similarly, young persons under the age of twenty-one are separated from adults, and after release most of them are found employment by Young Prisoners' Committees.

It was not without justice that a statue to that great woman reformer, Mrs. Fry, was placed in the Great Hall of the Central Criminal Court, popularly known as the Old Bailey, a few years ago.

This monument bears the following appropriate lines:—

> One who never turned her back,
> But marched breast forward,
> Never doubted clouds would break,
> Never dreamed, though right were worsted,
> Wrong would triumph.
> Held, we fall to rise, are baffled to fight better,
> Sleep to wake.

The result of prison reform has led to an immense saving of public money. There are now only thirty-three local prisons as compared with a hundred in 1877, and three convict prisons as against fourteen in the same year.

But the achievement of prison reformers in this country has been excelled on the other side of the Atlantic where prisoners have much more liberty with regard to receiving

letters and seeing their friends than they have in this country.

In many prisons in the United States the inmates have not only their own brass and string bands but have actually their own baseball teams!

Indeed, as pointed out in a previous Chapter, they are sometimes allowed out to afternoon tea parties.

But with regard to first offenders, our law has gone further than modifying the form of prison punishment.

Since 1887 even when a charge has been proved against a person, the Court, if the character, antecedents, age and such like of the individual warrant it, may discharge the accused altogether or discharge her conditionally on what are called recognisances promising good behaviour.

The offender is, in such cases, placed under the supervision of probation officers, and if further offences are committed may be brought up for conviction and sentence. First offenders find their best friends in the Probation Officers who not only report to the Court as to their behaviour but advise, assist and befriend them and when necessary endeavour to provide them with suitable employment.

The Suffragette movement, to which I have referred elsewhere, produced a considerable change in our English system as during the period when women agitators were being sent to prison, what is virtually a grade of political prison was instituted by a regulation which provides for the treatment of prisoners convicted of offences not involving "moral turpitude."

The temporary release on licence of sick Suffragette prisoners was authorised by what was popularly called The Cat-and-Mouse Act of 1913, which was rendered necessary by the hunger strikes of a number of militant ladies who refused all food and even water.

Obviously it would have been awkward for any Goverment if one of these truculent women had died whilst in

prison for a political offence, so the authorities were at their wits' end.

This hunger strike focused attention on the question of fasting, and the medical profession was able to assure the prison doctors that within wide limits fasting is only dangerous if water is not taken.

In 1859 a Welsh girl claimed to have lived for two years without food. She was placed under medical observation and deprived of food and water and died in eight days.

In 1888 a Frenchwoman fasted from solid food for thirty days but took water freely, and since that year the experiment has been repeated for periods up to forty days on several occasions.

Political prisoners have followed the example of the Suffragette in recent years, and it must be admitted that in inaugurating this method of evading punishment women showed courage and ingenuity worthy of a better cause.

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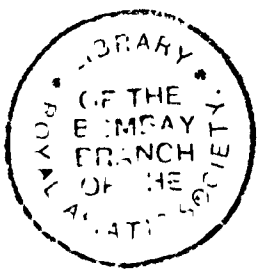
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